

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

Criminal Revision No.631 of 2018

Ashok Kumar Sinha, S/o Satyanarayan Sinha, aged about 40 years, R/o Village Dhangana, Police Chowki Malhar, Police Station Masturi, Civil and Revenue District Bilaspur, Chhattisgarh, at present working as S.D.L. Operator, S.E.C.L., Korba, Chhattisgarh, R/o Quarter No.471, Ompur, Rajgamar, Police Station Balco, Civil and Revenue District Korba, Chhattisgarh

---- Applicant

versus

1. Ku. Puja Sinha, D/o Shri Ashok Kumar Sinha, aged about 22 years,
 2. Ku. Kajal Sinha, D/o Shri Ashok Kumar Sinha, aged about 20 years,
 3. Ku. Nisha Sinha, D/o Shri Ashok Kumar Sinha, aged about 19 years,
- All are R/o C/o Ramakant Bhardwaj, Village Dhurwakari, Police Station Pachpedi, Civil and Revenue District Bilaspur, Chhattisgarh

--- Respondents

For Applicant	:	Shri Paras Mani Shriwas, Advocate
For Respondents	:	None

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

11.7.2018

1. Heard on admission.
2. This revision has been preferred against the order dated 22.5.2018 passed by the Family Court, Bilaspur in M.J.C. No.130 of 2018 and M.Cr.C. No.171 of 2018 (as mentioned in the memo of revision), whereby the Family Court has granted interim maintenance of total Rs.9,000/-, i.e., Rs.3,000/- per month in favour of each of the Respondents.
3. The instant revision has been moved by the Applicant/father only on the ground that since all the Respondents are major daughters, they are not entitled for any maintenance. The relevant provision

of clause (c) of sub-section (1) of Section 125 of the Code of Criminal Procedure reads as under:

“125. Order for maintenance of wives, children and parents.—(1) If any person having sufficient means neglects or refuses to maintain—

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(c) his legitimate or illegitimate child (not being a married daughter) who has attained majority, where such child is, by reason of any physical or mental abnormality or injury unable to maintain itself, or”

4. In the instant case, the Respondents are unmarried major daughters of the Applicant. Therefore, they are entitled for maintenance from the Applicant if they are unable to maintain themselves. Whether they are able or not to maintain themselves is a matter of evidence. In these circumstances, looking to the financial status of the Applicant, the Family Court has rightly granted the interim maintenance in favour of the Respondents.
5. I find no merit in the revision. It is, therefore, dismissed.

Sd/-

(Arvind Singh Chandel)
JUDGE