

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

Criminal Revision No.779 of 2018

Poshan Sinha, son of Somnath, aged about 34 years, resident of Vinoba Nagar, near Kasturaba Gandhi School, Mungeli, District Mungeli, Chhattisgarh, permanent resident of Shiv Nagar, Ward No.06, near Gyatri Mandir, Kumhari, Tahsil Dhamdha and District Durg, Chhattisgarh

---- Applicant

versus

Smt. Kusumlata Sinha, wife of Poshan Sinha, aged about 25 years, resident of Power House Gandhi Chowk, Camp No.02, Police Station Chhawani, Bhilai, Tahsil and District Durg, Chhattisgarh

--- Respondent

For Applicant	:	Shri Purnendra Khichariya, Advocate
For Respondent	:	None

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

19.7.2018

1. Heard on admission. Perused the material available with due care.
2. Vide order dated 10.5.2018, the Judicial Magistrate First Class, Durg has passed an order in favour of the Respondent/wife granting her Rs.2,000/- per month for her accommodation in the matter related to Section 23 of the Protection of Women from Domestic Violence Act, 2005. The order dated 10.5.2018 has been affirmed by the 4th Additional Sessions Judge, Durg vide order dated 13.6.2018.
3. The instant revision has been preferred by the husband only on the ground that in the case related to Section 9 of the Hindu Marriage Act preferred by him, the Respondent/wife is already getting an amount of Rs.1,500/- per month as maintenance. Therefore, she is

not entitled to get any additional amount for her accommodation or shelter.

4. Though the Respondent/wife is getting Rs.1,500/- per month as maintenance, there is no bar that no additional amount can be granted to her for her shelter. From perusal of the impugned order, it is clear that the Applicant/husband is employed in government service as a Technician.
5. In these circumstances, looking to the income of the Applicant/husband, the amount granted to the Respondent/wife for her shelter is just and proper.
6. The revision has no merit. It is, therefore, dismissed.

Sd/-

(Arvind Singh Chandel)
JUDGE