

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CR No. 95 of 2018**

- Virendra Dhankar S/o Shri Chandrapal Dhankar Aged About 31 Years R/o Police Quarter Geedam, Police Station Geedam, District- Dantewada, Chhattisgarh.....(Plaintiff)

---- Petitioner**Versus**

- Smt. Monika Dhankar W/o Virendra Dhankar R/o LS-203 Cityheart Residency, Kailash Vihar, Kailashpuri, Raipur, District- Raipur, Chhattisgarh.....(Defendant),

---- Respondent

For Applicant : Shri Ram Kumar Tiwari, Adv.

Hon'ble Shri Justice Sanjay Agrawal**Order On Board****24.07.2018**

1. Heard on admission.
2. This revision petition has been preferred under Section 115 of the Code of Civil Procedure, 1908 (hereinafter referred to as the Code of 1908) against the order dated 09.05.2018 passed by the Additional Sessions Judge (F.T.C.), South Bastar Dantewada in Civil Case No. 26-A/2017, by which, the application filed by the non-applicant/wife under Section 24 of the Hindu Marriage Act, 1955 (for short the Act of 1955) has been allowed in part.
3. Shri Ram Kumar Tiwari, learned counsel for the applicant submits that an application enumerated under Section 24 of the Act of 1955 has been made by the non-applicant/wife in a petition filed by the applicant under Section 13 of the Act of 1955 for dissolution of marriage and after considering the said application, the same was allowed in part by the trial Court awarding Rs.5000/- towards litigation expenses and Rs.2000/- towards travelling expenses for attending the

Court at Dantewada from Raipur. Shri Tiwari submits that the amount as awarded by the trial Court in relation to the travelling expenses is excessive and it should have been Rs.1000/- only instead of Rs.2,000/-. He submits further that the non-applicant is an educated lady and she does not require any assistance for attending the Family Court at Dantewada, and therefore, under such circumstances, she is not entitled to get that much amount from her husband.

4. I have heard learned counsel for the applicant and perused the entire relevant papers annexed with this revision petition.

5. Having considered the facts and circumstances of the case and that by considering the distance between Raipur and Dantewada, I am not inclined to interfere in the order impugned as the amount so granted by the trial Court upon considering the wife's said application is just and proper and cannot be held to be excessive as alleged by Mr. Tiwari. The contention of him is, therefore, rejected.

6. The revision petition is, accordingly, dismissed at motion hearing stage itself. No order as to costs.

Sd/-
(Sanjay Agrawal)
Judge