

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 1454 of 2018

1. Smt. Priya Agrawal, D/o. Shri Kailash Chand Agrawal, Aged About 34 Years, R/o. Bilaspur Chowk, Ambikapur, P.S. & Tahsil Ambikapur, District Surguja, Chhattisgarh
2. Bhavi Agrawal, D/o. Ramesh Agrawal, Aged About 9 Years, Through Her Natural Guardian Mother Namely Smt. Priya Agrawal, W/o. Ramesh Agrawal, R/o. Bilaspur Chowk, Ambikapur, P.S. & Tahsil Ambikapur, District Surguja Chhattisgarh

---- Petitioners

Versus

Ramesh Agrawal, S/o. Shri Mahaveer Prasad Agrawal, Aged About 38 Years, R/o. Bramhroad, Panchsheel Gali, Mahamaya Mobile Center, Ambikapur, P.S. & Tahsil Ambikapur, District Surguja, Chhattisgarh

---- Respondent

For Petitioners : Ms. Rashul Bhawnani, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

30.07.2018

Heard

1. Learned counsel for the petitioners submits that despite the order of maintenance was passed on 03.12.2014 certain amount i.e. only Rs.15,000/- was paid, however, the entire amount has not yet been paid regularly. It is stated that despite filing of an application before the Court below, the maintenance are not being granted, as such, it is difficult for the petitioner wife and minor children to survive, if the maintenance are not paid regularly; therefore, some measures may be taken against the respondent and the entire arrears of maintenance may be granted to the petitioners.
2. Perused the documents and the order sheets of the Court below. It appears that the order of maintenance was passed in the year 2014 and an amount of Rs.3000/- per month was granted in favour of the petitioners i.e. 1500/- each. The order sheet of the execution proceeding would show that the

maintenance amount has not been paid regularly. Therefore, the submission made by the petitioners is quite logical and is effective to the fact that in absence of such meager amount of maintenance which is not paid regularly the survival would be in question. The order sheets of the Court below do not satisfy this Court about the continuation of the proceeding. This Court is not satisfied with the progress, which has been made by balancing it with the fact that only Rs.3000/- has been granted in 2014 which too has not been paid regularly.

3. Under the circumstances, it is directed that the learned executing Court shall proceed with the matter regularly in every month and shall expedite the hearing as early as possible so that the purpose of the order of maintenance are achieved.
4. With such observation, the petition stands disposed off.

Sd/-
Goutam Bhaduri
Judge