

HIGH COURT OF CHHATTISGARH, BILASPUR**Criminal Revision No.970 of 2017**

Chandrashekhar Singh, son of Bhola Singh, aged about 39 years,
UDT, Middle School Murhijhariya, Baikunthpur, District Koriya,
Chhattisgarh through District Education Officer, Koriya, Chhattisgarh

---- **Applicant**

versus

1. Ku. Sanjeevani Singh, D/o Chandrashekhar Singh, aged about 09 years,
2. Ku. Amrit Singh, D/o Chandrashekhar Singh, aged about 02 years and 05 months,

Both through guardian mother Smt. Preeti Singh, wife of Chandrashekhar Singh, aged about 33 years, R/o Geetanjali City, Phase 02, House No.137, P.S. Sarkanda, District Bilaspur, Chhattisgarh

--- **Respondents**

For Applicant	:	Shri Syed Majid Ali, Advocate
For Respondents	:	Shri Ajay Kumar Pandey, Advocate

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

26.6.2018

1. With the consent of Learned Counsel appearing for the parties, the matter is heard finally.
2. This revision has been preferred against the order dated 12.9.2016 passed by the Family Court, Bilaspur in M.J.C. No.443 of 2015, whereby the application under Section 125 of the Code of Criminal Procedure moved by the Respondents has been allowed and maintenance of Rs.7,000/- per month and that of Rs.5,000/- per month, total Rs.12,000/- per month has been granted in favour of

the daughters of the Applicant, i.e., Respondent No.1 and Respondent No.2, respectively.

3. Learned Counsel appearing for the Applicant/father submits that the Applicant never received any notice and the impugned order has been passed *ex parte*. He further submits that mother of the Respondents, i.e., wife of the Applicant herself has admitted that she is working as a Patwari and is getting a handsome salary. Therefore, she is able to maintain the Respondents/daughters. Hence, the amount granted as maintenance in favour of the Respondents is on higher side and the same deserves to be reduced suitably.
4. Learned Counsel appearing for the Respondents/daughters submits that the Applicant/father is working as a Government Teacher and is getting salary of Rs.30,000/- per month. Though mother of the Respondents/daughters is working as a Patwari, her salary is much lesser than the Applicant. Since the Applicant is the father of the Respondents, looking to his earning, the Family Court has rightly granted the maintenance of Rs.12,000/- per month.
5. I have heard Learned Counsel appearing for the parties and perused the record with due care.
6. As per the finding of the Trial Court, it is clear that the Applicant is a Government Teacher and is getting salary of Rs.30,000/- per month. Mother of the Respondents is a Patwari, but her monthly income has not been proved before the Trial Court. Since the Applicant is the father of the Respondents and is getting minimum salary of Rs.30,000/- per month, grant of maintenance of

Rs.12,000/- per month is just and proper.

7. I find no merit in the instant revision. It is, therefore, dismissed.
8. Record of the Court below be sent back along with a copy of this order forthwith for information and necessary compliance.

Sd/-
(Arvind Singh Chandel)
Judge