

HIGH COURT OF CHHATTISGARH, BILASPUR**Criminal Revision No.1176 of 2017**

Durgesh Sahu, aged about 25 years, son of Shri Laxman Sahu, resident of Village Dhardei, Police Station and Tahsil Patharia, District Mungeli, Chhattisgarh

---- Applicant

versus

Smt. Asha Sahu, wife of Durgesh Sahu, aged about 21 years, daughter of Shri Bishat Ram Sahu, resident of Village Sankra, Police Station Dharsinwa, District Raipur, Chhattisgarh

--- Respondent

For Applicant	:	Shri Ajit Singh and Shri Manish Thakur, Advocates
For Respondent	:	Shri Akhilesh Kumar, Advocate

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

20.6.2018

1. Pursuant to the order of this Court dated 4.4.2018, both the parties are present in person before this Court today. They are afforded opportunity to settle their dispute, but, after their mutual discussion, they could not settle the dispute.
2. Since this revision has been preferred by the husband against the order of interim maintenance only and it is an admitted revision, looking to the facts and circumstances of the case, it is heard and decided finally at this stage.
3. I have heard Learned Counsel appearing for the parties and perused the record with due care.
4. Admittedly, the Respondent is the wife of the Applicant. She is residing separately from him. An application under Section 125 of the Code of Criminal Procedure has been preferred by the

Respondent/wife along with an application for grant of interim maintenance. Vide the impugned order dated 5.10.2017 passed by the Family Court, Raipur in Case No.31 of 2016, the Family Court has allowed the application for interim maintenance and has directed the Applicant/husband to pay Rs.4,500/- per month as interim maintenance to the Respondent/wife.

5. As per the contention of the Applicant/husband himself, he is a labour under a contractor. In the circumstance, it can be deemed that his daily income would be Rs.300/- and thus monthly income would be Rs.9,000/-.
6. Looking to the social status of the parties and financial status of the Applicant/husband, I find that the order granting interim maintenance of Rs.4,500/- per month is just and proper.
7. Thus, I find no merit in the revision. The revision is, therefore, dismissed. However, the Trial Court is directed to decide the application under Section 125 of the Cr.P.C. as early as possible preferably within a period of six months from the date of receipt of this order.

Sd/-
(Arvind Singh Chandel)
Judge