

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

FAM No.97 of 2019

Vardan Tirkey S/o Shri Mansid Tirkey Aged About 31 Years R/o Village -
Sugajori (Mayur Nacha), Police Station Bagbahar, Tahsil Bagbahar,
District Jashpur Chhattisgarh **----Appellant**

Versus

Smt. Ingelina Tirkey D/o Kasfer Tirkey Aged About 26 Years R/o Village
- Pakridipa (Kudbahal), Police Station And Post - Tumla, Tahsil
Farsabahar, District Jashpur Chhattisgarh **--- Respondent**

For Appellant : Mr. Sanjeev Kumar Sahu, Advocate

DB : Hon'ble Shri Justice Manindra Mohan Shrivastava

Hon'ble Smt. Justice Vimla Singh Kapoor

Order on Board by Manindra Mohan Shrivastava, J.

29/07/2019

1. This appeal is directed against impugned order dated 22.02.2019 passed by the Family Court, to the extent it awards an amount of Rs.2,00,000/- to the wife against whom, the appellant has been granted decree of divorce.
2. Learned counsel for the appellant submits that no appeal has been preferred by respondent-wife.
3. Learned counsel for the appellant would argue that while granting judgment and decree of divorce in favour of the appellant, learned Court below has directed payment of Rs.2,00,000/- which is highly disproportionate, taking into consideration that earlier, the appellant had suffered an accident and he has meager means to earn livelihood. He would also submit that he has to also maintain the minor son. Therefore, taking into consideration all this aspect, amount of Rs.2,00,000/- is quite exaggerated.
4. We find that the appellant has been granted decree of divorce against

his wife. The Court directed that 'Stridhan' in the form of gift which was received by the respondent/wife be returned. A total amount of Rs.2,00,000/- has been ordered to be paid by the appellant to his wife as one time measure. After having gone through the material on record, we do not find that the amount is so high or disproportionate that we should intervene particularly taking into consideration that the wife, has also not taken any remedy against the order insofar as grant of decree of divorce is concerned. Therefore, the appeal has no merit and is accordingly dismissed.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Sd/-
(Vimla Singh Kapoor)
Judge