

HIGH COURT OF CHHATTISGARH, BILASPUR

CRR No. 540 of 2019

- Abhishek Masih S/o Idu Masih Aged About 40 Years R/o Infront Of Ramanuj Club, Near Hospital, Darripara, Ambikapur Chhattisgarh.

---- Applicant

Versus

- Smt.Valentina Masih W/o Abhishek Masih Aged About 35 Years R/o Lig -214, Amdinagar, Hudco Bhilai Tahsil And District Durg Chhattisgarh

---- non-applicant

For Applicant	: Shri Amit Kumar, Advocate
For non-applicant	: Shri Jitendra Gupta, Advocate

Hon'ble Smt. Justice Rajani Dubey

Order On Board

11/09/2019

Present revision is directed against the order impugned dated 14.03.2019 passed by the Principal Judge, Family Court, Durg whereby the court below has awarded Rs. 7,000/- (Rs. 3,000/-, 2,000/- and 2,000/-) in favour of the non-applicants.

2. Counsel for the applicant submits that the maintenance amount awarded to the non-applicant is on the higher side and without giving opportunity of hearing to the applicant, the order has been passed. He submits that the non-applicant No.1 along with her children is residing with her parents of her own and therefore also she is not entitled to receive any maintenance from him.

3. It has been pleaded by the non-applicant that her marriage was solemnized with the applicant on 11.6.2010 and immediately thereafter she was subjected to cruelty by the applicant for demand of dowry. In the compelling circumstances, the non-applicant had left the house of the applicant and is residing with her parents. It has also been pleaded by the non-applicant that she is not in a position to maintain herself and therefore suitable maintenance be awarded to her therefore the court below after due appreciation, granted Rs. 3,000/- per month as maintenance to the non-applicant/wife.

3. Upon due consideration, it is directed that the trial court shall decide the main petition under Section 125 Cr.P.C. on cooperation by the parties, at the earliest preferably within a period of six months, from the date of receipt of copy of this order.

4. It is made clear that if any delay occurs on behalf of the non-applicants, then the trial court shall reconsider the application for interim maintenance. Revision is accordingly dismissed with the aforesaid direction.

Sd/-

(Rajani Dubey)
Judge