

HIGH COURT OF CHHATTISGARH, BILASPUR

CRR No. 514 of 2019

- Krishnakant Pandey S/o Chandrashekhar Pandey Aged About 41 Years R/o Lig-2, House No. 115, Kailash Nagar, Kurud, Bhilai, Tahsil And District Durg Chhattisgarh

---- Applicant

Versus

- Smt. Sarita Pandey W/o Krishna Pandey Aged About 34 Years R/o Lig-1, House No. 818, Housing Board, Industrail Area Jamul, P. S. Jamul, Tahsil And District Durg Chhattisgarh

---- Respondent

For Applicant	: Mr. N.K. Chatterjee, Advocate.
For Respondent	: None.

Hon'ble Shri Justice Ram Prasanna Sharma
Order On Board

12/04/2019

1. Heard.
2. This revision has been preferred under Section 19(4) of the Family Court Act, 1984 against order dated 25.03.2019 passed by the Family Court Durg, District Durg (C.G.), in MJC No. 1080/2018, whereby the application filed by the Respondent under Section 125(3) of the CRPC 1973 for recovery of maintenance of Rs. 4,670 and for that movable property of the Applicant was ordered to be attached.
3. From the order of the Family Court, it is clear that the Family Court before directing for attachment of movable property gave option to the Applicant whether he is willing to deposit maintenance amount but, he stated before the said Court that he

is not able to pay the maintenance amount that is why order of attachment was passed.

4. The only thing which is an issue is the compliance of order of maintenance which was earlier passed by the said Court if order of maintenance is complied with by the Applicant, there would have been no occasion for attachment, but when the Applicant himself stated before the Trial Court that he is not able to pay the maintenance, no option was left before the Trial Court but to proceed for recovery of maintenance amount, and for that movable property can also be attached. It is not a case for interference in the order passed by the Family Court. It is also not a case where Respondent should be called for further revision.
5. Accordingly, the revision has no merit and the same is dismissed on admission stage itself.

Sd/-
(Ram Prasanna Sharma)
Judge