

HIGH COURT OF CHHATTISGARH, BILASPUR**CRR No. 587 of 2019**

Yashwant Sahu S/o R.P. Sahu, aged about 34 years, R/o House No. 377,
Sundar Nagar, Raipur, District Raipur (C.G.)

----Applicant

Versus

1. Smt. Abha Sahu W/o Shri Yashwant Sahu, aged about 32 years D/o Manharan Sahu,
2. Anya Sahu D/o Shri Yashwant/Abha Sahu, aged about 01 year,
Both are R/o Naya Sarkanda, Bangali Para, Bilaspur, Police Station Sarkanda, Tahsil and District Bilaspur (C.G.).

---- Respondents

For Applicant	:	Mr. T.K. Jha, Advocate
For Respondents	:	Mr. Amiyakant Tiwari, Advocate

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

03/05/2019

1. With the consent of both the parties, the matter is heard finally.
2. Before the Family Court, Respondent No.1/Wife had filed an application under Section 125 of the Cr.P.C for grant of maintenance.
3. Examination of chief of witness namely R.K. Sahu has already been recorded before the Family Court. Thereafter, on 24/04/2019 when this witness was not present before the Family Court for cross-examination, further opportunity of applicant for submitting his evidence has been closed by the Family Court. Thus, this revision.
4. Counsel for the Applicant submits that one more opportunity may be given to the Applicant to cross-examine the said witness as he is

essential witness in the matter.

5. Counsel for the Respondents opposes the prayer and submits that the Applicant is not paying any maintenance to the Respondent. If any opportunity to examine the said witness is given, then the Applicant may be directed to deposit 50% of the maintenance amount which is pending.
6. I have heard counsel for the parties and perused the documents available on record.
7. After considering all the aspect, this revision is disposed of with a direction that the Applicant shall deposit 50% of the pending maintenance amount before the Family Court and the Family Court shall provide an opportunity to examine the said witness. It is made clear that the Applicant shall examine the said witness on the date which will be given by the Family Court and will close his examination on the said date.
8. Accordingly, this revision is disposed of with the aforesaid terms.

Sd/-
(Arvind Singh Chandel)
Judge