

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Criminal Revision No. 685 of 2018**

Buddhi Prakash Chaturvedi, aged about 58 years S/o Late Suritram Chaturvedi
R/o Jarhabatha, P.S. Civil Line, Bilaspur, District Bilaspur (C.G.)

----Applicant**Versus**

Smt. Padma Chaturvedi, aged about 56 years, W/o Shri Buddhi Prakash
Chaturvedi, R/o. Village Tifra, P.S. Sirgitti, District Bilaspur (C.G.)

---- Respondent

For Applicant	:	Mr. Bhupendra Kumar Patel, Advocate
For Respondent	:	None

Hon'ble Shri Justice Arvind Singh Chandel**Order on Board****14/02/2019**

1. Heard on I.A. No. 01/2018 for condonation of delay in filing the revision.
2. For the reasons mentioned in the application, the same is allowed. Delay is condoned.
3. Also, heard on admission.
4. This revision has been preferred against order dated 21/11/2017, whereby the Family Court, Bilaspur while allowing the application filed under Section 125 Cr.P.C by the Respondent/Wife granted maintenance of Rs. 11000/- in her favour. Thus, this revision has been preferred by the Applicant/Husband on the ground that inspite of the fact that the Respondent is residing separately without any reasonable cause, the Family Court has granted maintenance in her favour and also on the ground that looking to the income of the Applicant, the maintenance amount of Rs. 11000/- is on higher side.
5. Before the Family Court, it was pleaded by the Respondent/Wife that the

Applicant himself left the house and is residing separately. He is also not maintaining her. The above statement of the Respondent/Wife has not been rebutted by the Applicant. Nor, he himself examined before the Family Court. From the above, it is clear that the Respondent/Wife is residing separately with sufficient cause, and therefore the Family Court has rightly granted maintenance in her favour.

6. With regard to quantum of maintenance, admittedly the Applicant is getting monthly payment of Rs. 33000/-. Therefore, the maintenance amount of Rs. 11000/- granted by the Family Court is just and proper.
7. Accordingly, the revision has no merit and the same is dismissed.

Sd/-
(Arvind Singh Chandel)
Judge