

HIGH COURT OF CHHATTISGARH, BILASPUR

CRR No. 745 of 2019

- Dr. Satyam Patel S/o Dr. Narsingh Patel Aged About 35 Years
R/o Block No. B.Flat No. 106, Govt. Medical College Colony,
Raigarh, District Chhattisgarh. Permanent R/o Hospital Road
Kharsia District Raigarh Chhattisgarh.

---- Applicant

Versus

- Dr. Dipti Choudhary Patel W/o Dr. Satyam Patel Aged About 30
Years D/o K.R. Choudhary, R/o Shri D.R. Choudhary Near
Radhakrishna Mandir, Danganiya, Raipur, District Raipur
Chhattisgarh

---- Respondent

For Applicant	: Ms. Sharmila Singhai, Advocate
For Non-applicant	: Shri A.K.Prasad, Advocate

Hon'ble Smt. Justice Rajani Dubey

Order On Board

07/08/19

Heard on admission.

2. The present revision is filed against the impugned order dated 01.05.2019 passed by the First Additional Principal Judge, Family Court Raipur in MJC No. 706/2018 whereby the court below has allowed the interim maintenance application filed by the non-applicant and awarded a sum of Rs. 15,000/- as maintenance.

3. 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 is willfully living separately from her

husband/applicant.

4. On the other hand, counsel appearing for the non-applicant opposes the submission of the applicant and supports the order passed by the Family Court, Raipur.

4. 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 three months, from the next date of hearing.

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