

HIGH COURT OF CHHATTISGARH, BILASPUR**Criminal Revision No. 818 of 2018**

1. Smt. Vimla Sonwane W/o Prashant Sonwane, aged about 31 years,
 2. Ku. Khushboo Sonwane D/o Prashant Sonwane, aged about 17 years,
 3. Ku. Janvi Sonwane D/o Prashant Sonwane, aged about 15 years,
 4. Pranjal Sonwane S/o Prashant Sonwane, aged about 10 years,
- Applicants No. 2 to 4 minor through their mother Smt. Vimla Sonwane.
All R/o Risali Bhilai, Tahsil and District Durg (C.G.).

---- Applicants**Versus**

Prashant Sonwane S/o Shyam Das Sonwane, aged about 37 years R/o 308/2, Matrikuj Risali, Sector Bhilai, District Durg (C.G.) Office Address Sai Properties Near Krishna Talkies Risali Bhilai, Tahsil and District Durg (C.G.)

---- Respondent

For Applicants	:	Mr. Shakti Raj Sinha, Advocate
For Respondent	:	Mr. C.R. Sahu, Advocate

Hon'ble Shri Justice Arvind Singh Chandel**Order on Board****03/04/2019**

1. With the consent of both the parties, the matter is heard finally.
2. Earlier, the Applicants had filed an application under Section 125 of the Cr.P.C for grant of maintenance and vide order dated 13/12/2011, the said application was allowed and monthly maintenance of Rs. 1000/- was granted in favour of Applicant No. 1 and Rs. 500/- each in favour of Applicants 2 to 4. Total Rs. 2500/- was granted. Thereafter, an application under Section 127 of the Cr.P.C was filed by the Applicants for enhancement of the said maintenance amount and vide order

dated 28/06/2018, the learned Family Court allowed the said application and enhanced the monthly maintenance from Rs. 1000/- to Rs. 2000/- in favour of Applicant No. 1 and from Rs. 500/- to Rs. 1500/- each in favour of Applicants 2 to 4. Thus, this revision has been filed by the Applicants for further enhancement.

3. I have heard counsel for the parties and perused the record.
4. There is no dispute on the point that Applicant No. 1 is legally wedded wife of the Respondent and out of their wedlock Applicants 2 to 4 borne. Presently, they are residing with Applicant No. 1.
5. Before the family Court, Applicant No. 1 & 2 have examined themselves in the said proceedings and the Respondent was absent, therefore, ex-parte order was passed against him.
6. Applicant No. 1 has deposed that the Respondent is working as property dealer and get monthly income of Rs. 30-35 thousand. The Respondent also owned 2 four wheelers and those vehicles are engaged in rented business. In her support, Applicant No. 1 submitted certain documents which she obtained through RTI. As per the said documents, the Respondent owned one Swift Dzire car and one Auto Rickshaw. The statement of Applicant No. 1 has not been rebutted during her cross examination. From the above statement and the documents adduced by her, it is well established that the Respondent is working as property dealer and he owned one Swift Dzire and one Auto Rickshaw, which he runs on rented business. Looking to the above facts, the enhancement made by the Family Court is on lower

side.

7. Considering the financial status of the Respondent and the present price index, it is ordered that the Respondent shall now pay Rs. 4000/- to Applicant No. 1 and Rs. 2000/- each to Applicant No. 2 to 4 from today.
8. Consequently, the revision is allowed to the extent indicated above.

Sd/-
(Arvind Singh Chandel)
Judge

Rahul