

HIGH COURT OF CHHATTISGARH, BILASPUR

CRR No. 44 of 2017

- R. Ramdas S/o Late R. Chandraiya Aged About 68 Years R/o Street No.09, Model Town, Police Station Supela, Bhilai, Tahsil And District Durg, Chhattisgarh., Chhattisgarh

---- Petitioner

Versus

- R.Vanita W/o Late Ramesh Babu, Aged About 32 Years R/o House No. 414, Street No. 09, Model Town, Police Station Supela, Bhilai, Tahsil And District Durg, Chhattisgarh., Chhattisgarh
- R. Suman D/o Late Ramesh Babu, Aged About 14 Years Through Natural Guardian Mother R. Vanita W/o Late Ramesh Babu, Aged About 32 Years, R/o House No. 414, Street No. 09, Model Town, Police Station Supela, Bhilai, Tahsil And District Durg, Chhattisgarh.

---- Respondents

For Applicant	: Shri C.K.Sahu, Advocate
For Respondents	: Shri Varunendra Mishra, Advocate

Hon'ble Smt. Justice Rajani Dubey

Order On Board

17/09/2019

Present revision is directed against the order impugned dated 29.06.2016 passed by the Judicial Magistrate First Class, Durg in Cr. Case No. 183/2016 whereby the court below has awarded Rs. 1,000/- and 2,000/- respectively, in favour of the non-applicants.

2. Counsel for the applicant submits that the applicant is father-in-law of the non-applicant No.1 and therefore he cannot be made liable for granting maintenance to the non-applicants who are daughter-in-

law and grand daughter. It is submitted that the maintenance amount awarded to the non-applicants is on the higher side and without giving opportunity of hearing to the applicant, the order has been passed.

3. It has been pleaded by the non-applicant No.1 that she is a widow and she was subjected to cruelty by the applicant who is trying to oust her from the house of her husband (late). It has also been pleaded by the non-applicant that she is not in a position to maintain herself.

4. Upon due consideration, it is directed that the trial court shall decide the main petition under Section 12 of Domestic Violence Act on cooperation by the parties, at the earliest preferably within a period of six months, from the date of receipt of copy of this order.

5. It is made clear that if any delay occurs on behalf of the applicant, then the trial court shall reconsider the application for interim maintenance. Revision is accordingly dismissed with the aforesaid direction.

Sd/-

(Rajani Dubey)
Judge