

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Criminal Revision No. 110 of 2017**

1. Sushma Bhagat W/o Shri Mahesh Kumar Hidka, aged about 25 years, Occupation Housewife.
 2. Shahil Joseph Hidka S/o Shri Mahesh Kumar Hidko, aged about 5 years, minor through natural guardian applicant No.1.
- Both are R/o Subhash Nagar, Police Station Gandhinagar (Dehat), District Surguja (C.G.)

---- Applicants**Versus**

Mahesh Kumar Hidko S/o Late Shankar Sahay Hidko, aged about 28 years, Occupation- Service (Peon), Govt. Boys High School, Narayanpur, District Bastar (C.G.).

---- Respondent

For Applicants	:	Mr. Sampurank Gupta, Advocate
For Respondent	:	Mr. Amit Kumar Sahu, Advocate

Hon'ble Shri Justice Arvind Singh Chandel**Order on Board****21/02/2019**

1. This revision has been preferred against order dated 29/09/2016 passed in Miscellaneous Criminal Case No. 193/2014 by the Family Court, Ambikapur, whereby the Family Court while allowing the application under Section 125 Cr.P.C granted maintenance of Rs. 1500/- in favour of the Applicants. Thus, this revision has been filed by the Applicants for further enhancement of said maintenance amount.
2. Learned counsel for the Applicants submits that the Respondent has admitted the fact that he is working in Government Higher Secondary School and is getting a monthly salary of Rs. 16,000/-. In spite of that,

the learned Family Court has only granted maintenance of Rs. 1500/- in favour of the Applicants. However, he admitted the fact that Applicant No. 2 Shahil Joseph is residing with the Respondent. Apart from above, no one is dependent on the Respondent. In these circumstances the maintenance granted by the Family Court may be suitably enhanced.

3. Counsel for the Respondent opposes the argument advanced by the counsel for the Applicants.
4. I have heard counsel for the parties and perused the record.
5. In para 7 of his Court statement, the Respondent has categorically admitted the fact that he is working in Govt. Higher Secondary School since 2009 and presently getting monthly salary of Rs. 16000/-. From the above submission made by the Counsel for the Applicants, it is also established that presently Applicant No. 2 is residing with the Respondent, but there is nothing on record which shows that any other member is also dependent on the Respondent. Looking to the above, Rs. 1500/- monthly maintenance granted by the Family Court is on lower side.
6. Considering the above aspects of the matter and further considering the income of the Respondent and his other responsibility, it is ordered that the Respondent shall now pay Rs. 4000/- monthly maintenance to Applicant No.1 from today.
7. Consequently, the revision is allowed to the extent indicated above.

Sd/-
(Arvind Singh Chandel)
Judge