

HIGH COURT OF CHHATTISGARH, BILASPUR

CRR No. 900 of 2019

- Sonu Vishwakarma S/o Late Radhelal Vishwakarma Aged About 30 Years R/o Q. No. 108, Ujjawal Nagar, N.T.P.C. Sipat, Police Station- Sipat, District- Bilaspur, Chhattisgarh.

---- Applicant

Versus

1. Smt. Aswari Vishwakarma W/o Sonu Vishwakarma R/o Through Her Fatherlal Ram Vishwakarma, Village- Karra, Police Station- Masturi, District- Bilaspur, Chhattisgarh.
2. Khushbu Vishwakarma D/o Sonu Vishwakarma Aged About 5 Years Minor, Through The Legal Guardian Smt. Aswari Vishwakarm W/o Sonu Vishwakarma, R/o Village- Karra, Police Station- Masturi, District- Bilaspur, Chhattisgarh.

---- Non-applicants

For Applicant	: Shri Manoj Jaiswal, Advocate
For Non-applicants	: None present.

Hon'ble Smt. Justice Rajani Dubey

Order On Board

29/07/2019

Heard on admission.

2. The present revision is filed against the impugned order dated 16.04.2019 passed by the Additional Principal Judge, Family Court Bilaspur in MJC No. 184/2018 whereby the court below has allowed the interim maintenance application filed by the non-applicants and awarded a sum of Rs. 2,500/- and Rs. 1500/- as maintenance.

3. Counsel for the applicant submits 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. He submits that the non-applicant No.1 along with her child is residing with her parents and is therefore not liable for any maintenance.

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 six 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