

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Criminal Revision No. 881 of 2018**

Smt. Sukhiya Bai W/o Gautam Lal, Aged about 50 years, R/o Gram Anjora (Dhaba), District Durg (Chhattisgarh)

----Applicant**Versus**

Gautam Lal S/o Barsam Lal Kurmi, Aged about 62 years, R/o Gram Risali, Thana Nevai, District Durg (Chhattisgarh)

---- Respondent

For Applicant	:	Mr. Prateek Sharma, Advocate
For Respondent	:	Mr. N.S. Dhurandhar, Advocate

Hon'ble Shri Justice Arvind Singh Chandel
Order on Board

23/01/2019

1. With the consent of both the parties, the matter is heard finally.
2. This revision has been preferred by the Applicant/Wife against order dated 21/06/2018, passed by the 3rd Additional Principal Judge, Family Court, Durg (C.G.), whereby the learned Family Court, Durg while deciding the application under Section 127 of the Code of Criminal Procedure filed by the Applicant enhanced maintenance amount from Rs. 3000/- to Rs. 4000/-.
3. Learned counsel for the Applicant submits that initially vide order dated 12/09/2013, the learned Family Court while allowing the application under Section 125 Cr.P.C granted monthly maintenance of Rs. 3000/- in favour of the Applicant/Wife. Presently, the Respondent has retired from Bhilai Steel Plant and at the time of retirement, he got around Rs. 40-50 lakhs. The Respondent has also owned agricultural land and he earns around 5 lakhs annually from that land, therefore, looking to the price index and

financial status of the Respondent, the enhancement amount of Rs. 4000/- by the Family Court is on lower side.

4. Counsel for the Respondent admitted the fact that at the time of retirement, the Respondent got about 47 lakhs.
5. Considering the above facts and circumstances of the case and further considering that looking to the present price index, the enhancement of Rs. 3000/- to Rs. 4000/- as enhanced by the Family Court is on lower side. Therefore, the order dated 21/06/2018 passed by the Family Court (Annexure-A/1) is modified to the extent that the Respondent shall now pay Rs. 6000/- to the Applicant as monthly maintenance. The above modification of the said order shall be effective from today.
6. With the aforesaid terms, this revision is disposed of.

Sd/-
(Arvind Singh Chandel)
Judge