

HIGH COURT OF CHHATTISGARH, BILASPURCriminal Misc. Petition No.1101 of 2014

Sangita Thakur, D/o Rakesh Singh Thakur, Aged about 18 years, R/o House No. 48-F, Zone-2, Khursipar, Bhilai, District Durg (C.G.)

---- Petitioner

Versus

Rakesh Singh Thakur, S/o Late Shyamlal, Aged about 47 years, R/o Chaukhadiyapara, Bada of Postman, Ward No.36, P.S. Basantpur, Tahsil & District Rajnandgaon (C.G.)

---- Respondent

For Petitioner: Ms. Aditi Singhvi, Advocate.

For Respondent: Mr. Rakesh Kumar Thakur, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

09/04/2019

1. The petitioner filed application for enhancement of the amount of maintenance against her father and on 1-10-2014 she got the application dismissed against which this writ petition under Section 482 of the CrPC has been preferred.
2. I have heard learned counsel for the parties.
3. It appears that the application for enhancement of maintenance was pending since 3-9-2011 and the matter could not be progressed substantively, therefore, out of non-progress and frustration, she decided to withdraw and withdrawn the application which she later-on realised and filed this petition under Section 482 of the CrPC. Considering delay in disposal of the enhancement of maintenance proceeding and considering the trauma which the petitioner was suffering, it would be expedient to restore the said application for enhancement for hearing and disposal, in accordance with law. The

Family Court, Durg is directed to consider and dispose of the application for maintenance within four months from the date of receipt of a copy of this order.

4. With the aforesaid observation, the petition stands disposed of finally.

Sd/-
(Sanjay K. Agrawal)
Judge

Soma