

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

Criminal Revision No.831 of 2015

Ku. Charul Bhasker, D/o Shri Pradeep Kumar Bhasker, aged about 14 years, Minor through Natural Guardian Mother Smt. Chandrabati Bhasker, W/o Pradeep Bhasker, R/o Behind Collector Office, Vidyanagar Saigona Khar, Thana and Tahsil Kawardha, Civil and Revenue District Kabeerdham, Chhattisgarh

---- Applicant

versus

Pradeep Bhasker, S/o Hiraaram Bhasker, aged about 43 years, occupation Service, posted as Assistant Manager, State Bank of India, Branch Mungeli, Thana and Tahsil Mungeli, Revenue District Mungeli, Civil District Bilaspur, Chhattisgarh

--- Respondent

For Applicant	:	Shri Samir Singh, Advocate
For Respondent	:	None

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

9.1.2019

1. This is an admitted revision and is listed for final hearing.
2. Vide order dated 17.4.2012 passed in M.Cr.C. No.13 of 2011, the Judicial Magistrate First Class, Kabirdham allowed the application under Section 125 Cr.P.C. and granted monthly maintenance of Rs.8,000/- in favour of the present Applicant. Thereafter, on 24.9.2014, the present Applicant moved an application under Section 127 Cr.P.C. for enhancement in the amount of maintenance. The Family Court, Kabirdham, vide the impugned order dated 22.8.2015 passed in M.Cr.C. No.388 of 2014, allowed the application and enhanced the amount of maintenance from Rs.8,000/- to Rs.12,000/- in favour of the present Applicant. The

instant revision has been preferred by the Applicant on the ground that the enhancement is on lower side. She has prayed for suitable enhancement in the amount of maintenance.

3. I have heard Learned Counsel appearing for the Applicant. None appeared for the Respondent though memo of appearance is filed on his behalf. I have also perused the record with due care.
4. Before the Family Court, the present Applicant examined herself and her mother Chandravati. The Respondent also examined himself and his father Hiraaram. The Respondent also submitted his pay-slip for October, 2014 and other documents relating to his loan. As per the pay-slip of October, 2014 (Ex.P-NA1), after deductions, the take home pay of the Respondent is Rs.41,258/- and taking into consideration this fact, the Family Court has made enhancement in the amount of monthly maintenance of the present Applicant from Rs.8,000/- to Rs.12,000/-. Taking into account the above take home pay of the Respondent, his other liabilities, present price index and age of the present Applicant, I find that the enhancement made to Rs.12,000/- is just and proper.
5. I do not find any merit in the revision. It is, therefore, dismissed.
6. Record of the Court below be sent back along with a copy of this order for information and necessary compliance.

Sd/-

(Arvind Singh Chandel)
Judge