

HIGH COURT OF CHHATTISGARH, BILASPUR

CRR No. 1086 of 2019

1. Umesh Kumar S/o - Bharatbhushan Dewangan Aged About 32 Years R/o - Lig 1143, Sector-7, Housing Board Colony, Saddu Raipur, Police Station Vidhansabha Raipur, Tahsil And District Raipur Chhattisgarh
2. Bharatbhushan S/o - Tilakram Dewangan Aged About 53 Years R/o - Lig 1143, Sector-7, Housing Board Colony, Saddu Raipur, Police Station Vidhansabha Raipur, Tahsil And District Raipur Chhattisgarh
3. Smt. Savitri Bai W/o - Bharatbhushan Dewangan Aged About 51 Years R/o - Lig 1143, Sector-7, Housing Board Colony, Saddu Raipur, Police Station Vidhansabha Raipur, Tahsil And District Raipur Chhattisgarh
4. Ishwari Dewangan S/o - Bharatbhushan Dewangan Aged About 29 Years R/o - Lig 1143, Sector-7, Housing Board Colony, Saddu Raipur, Police Station Vidhansabha Raipur, Tahsil And District Raipur Chhattisgarh

---- Applicants

Versus

- Smt. Chandrakiran W/o - Umesh Kumar Dewangan Aged About 31 Years R/o - Near Janta School, Gandhi Chowk Camp 2, Power House, Police Station Chhawani Bhilai, Tahsil And District Durg Chhattisgarh

---- Respondent

For Applicants	: Shri Devesh G.Kela, Advocate
For Respondent	: None present.

Hon'ble Smt. Justice Rajani Dubey

Order On Board

25/09/2019

The present revision is directed against the impugned order dated 09.07.2019 passed by the Seventh Additional Sessions Judge, Durg in Criminal Appeal No. 0000359/2018 whereby the order dated

10.12.2018 passed by the Judicial Magistrate First Class, Durg in MJC No. 276/18 whereby the court below has granted interim maintenance of Rs.1500/- in favour of the non-applicant which has to be paid by the applicant No.1.

2. Contention of the counsel for the applicants is that the Non-applicant/wife has left the company of the applicant No.1 of her own without there being any sufficient reason and therefore she is not entitled to receive any maintenance from him. He further submits that the applicant No.1/husband is not in a position to earn his livelihood and therefore no order can be passed against him. He submits that the order impugned is apparently illegal and without considering the submissions of the applicant, the order has been passed.

3. In the facts and circumstances of the case, the present revision is disposed of with a direction to the Family Court to decide the main case itself as expeditiously as possible preferably within a period of six months from the date of receipt of copy of this order.

4. 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