

HIGH COURT OF CHHATTISGARH, BILASPUR**CRR No. 1078 of 2018**

Madan Kumar S/o Ramlakhan, aged about 46 years R/o Staff quarter, Domanhil Colliery, PS Chirmiri, Tehsil Khadganva, District Koriya (C.G.).

----Applicant

Versus

Ramlakhan S/o Sundar, aged about 66 years R/o Basdhiha, PS and Post Office- Dhumariya, Tehsil Sarghati, District Gaya, Bihar

---- Respondents

For Applicant	:	Mr. Vishnu Koshta, Advocate
For Respondents	:	Mr. G.R. Miri, Advocate

Hon'ble Shri Justice Arvind Singh Chandel**Order on Board**

07/05/2019

1. Heard on admission.
2. This revision has been preferred against order dated 01/09/2018 passed in Miscellaneous Criminal Case No. 41/2018 by the Family Court, Manendragarh, District Korea, whereby the Family Court allowed the application under Section 127 of the Cr.P.C and enhanced the monthly maintenance amount from Rs. 2500/- to Rs. 3500/- in favour of the Respondent.
3. The Respondent herein is father of the Applicant. Earlier, he had moved an application under Section 125 of the Cr.P.C for grant of maintenance and vide order dated 10/04/2014 passed in Miscellaneous Criminal Case No. 52/2012, the learned Family Court had allowed the said application on the basis of compromise and granted monthly maintenance of Rs.

2500/- in his favour. Thereafter, an application under Section 127 of the Cr.P.C was filed by the Respondent for further enhancement of maintenance amount on the grounds that there is increase in inflation and his treatment expenses.

4. After recording the evidence of both the parties and hearing their submissions, the Family Court vide impugned order dated 01/09/2018 has enhanced the maintenance amount as mentioned in the first paragraph of this order. Thus, this revision.
5. I have heard counsel for the parties and perused the records.
6. From perusal of the impugned order, it is clear that in the year 2012 when compromise took place, the Applicant was getting monthly payment of Rs. 16-18 thousands and presently he is getting near about Rs. 40 thousands. Therefore, considering the above the enhancement, in my considered opinion, is just and proper.
7. Accordingly, this revision has no merit and the same is dismissed.

Sd/-
(Arvind Singh Chandel)
Judge