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HIGH COURT OF CHHATTISGARH, BILASPUR**Criminal Revision No. 1114 of 2018**

Ramulal Sahu S/o Badkuram Sahu, aged about 40 years R/o Amlidih, Gandhi Ward, P.S. Rajendra Nagar, Tehsil Raipur, Distt. Raipur (C.G.).

---- Applicant**Versus**

Shilochna Sahu, W/o Ramulal Sahu, Aged about 37 years R/o Amlidih, Gandhi Ward, P.S. Rajendra Nagar, Tehsil Raipur, Distt. Raipur (C.G.)

---- Respondent

For Applicant	:	Mr. Anupam Sharma, Advocate
For Respondent	:	Ms. Laxmin Kashyap, Advocate

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board**26/02/2019**

1. With the consent of both the parties, the matter is heard finally.
2. This revision has been preferred against order dated 20/08/2018 passed by the First Additional Principal Judge, Raipur in Case No. 744/2017, thereby the learned Family Court granted interim maintenance of Rs. 3500/- in favour of the Respondent/Wife.
3. There is no dispute on the point that both Applicant and the Respondent are legally wedded couple and their marriage was solemnized in the year 1999. It is also not in dispute that out of their wedlock, five children were borne and out of which, four children are residing with the Applicant and one daughter is residing with her husband after her marriage.

4. Learned counsel for the Applicant submits that though the Respondent is legally wedded wife of the Respondent, but ignoring the fact that all children are dependent on the Applicant, the order of interim maintenance of Rs. 3500/- has been passed in favour of the Respondent which is on higher side, and looking to the social and financial status of both the parties as also other liabilities of the Applicant, the same should be reduced.
5. Counsel for the Respondent supported the impugned order.
6. I have heard counsel for the parties and perused the record.
7. It is pleaded by the Respondent/Wife that the Applicant have 10 drill machines and earning Rs. 50000/- monthly, but there is no documentary evidence in this regard. However, the Applicant denied this fact. In these circumstances, presently there is nothing on record about earning of the Applicant. Thus, looking to the other responsibility and financial status of the Applicant and also that four children are dependent on him, the interim maintenance of Rs. 3500/- awarded by the Family Court, in my considered view, is on higher side.
8. Considering all the aspects of the matter, it is ordered that the Applicant shall now pay Rs. 2500/- to the Respondent as an interim maintenance from today.
9. Consequently, the revision is partly allowed to the extent indicated above.

Sd/-

(Arvind Singh Chandel)
Judge