

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

Criminal Revision No.1272 of 2018

Shivam Kumar Soni, son of Gopal Ghan Soni, aged about 32 years, resident of Village Milupara, Tahsil Tamnar, District Raigarh, Chhattisgarh

---- Applicant

versus

Smt. Ankita Mohabe (Soni), wife of Shivam Kumar Soni, aged about 28 years, resident of Nili Chowk Purani Basti Awadhiyapara, P.S. Purani Basti, Raipur, District Raipur, Chhattisgarh

--- Respondent

For Applicant	:	Shri V.K. Pandey, Advocate
For Respondent	:	Shri T.R. Chandrakar, Advocate

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

8.1.2019

1. Heard on admission.
2. The instant revision has been preferred against the order dated 1.10.2018 passed by the Family Court, Raipur in Case No.300 of 2018, whereby the Family Court has granted interim maintenance of Rs.5,000/- in favour of the Respondent.
3. It is not in dispute that the Applicant and the Respondent were husband and wife and they had jointly filed an application for divorce with their mutual consent which was allowed on 10.4.2018. Before the Family Court, it was submitted by the Applicant that at the time of divorce, the Respondent had orally submitted that she will not make any claim for maintenance. But, this is to be decided after examination of both the parties. Presently, the material

available shows that the Respondent is a divorced wife of the Applicant and until she is remarried she is *prima facie* entitled to get maintenance from the Applicant. It was also pleaded by the Applicant himself that his monthly salary is Rs.30,000/-. Looking to the above, the grant of interim maintenance of Rs.5,000/- per month is just and proper.

4. I do not find any merit in the revision. It is, therefore, dismissed.

Sd/-

(Arvind Singh Chandel)
Judge