

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CRR No. 1247 of 2018**

Akhilesh Rai S/o Late Ishwar Dayal Rai, aged about 40 years R/o. Rai Dairy Farm Amaguda P.S. City Kotwali jagdalpur, District Bastar (C.G.)

----Applicant**Versus**

1. Smt. Beenu Rai W/o. Akhilesh Rai, aged about 35 years,
 2. Master Yash Rai S/o. Akhilesh Rai, aged about 13 years,
 3. Master Harshit Rai S/o. Akhilesh Rai, aged about 12 years,
- Respondent no.2 to 3 are minor through Respondent No.1 (Mother, natural guardian)
- All are R/o C/o. Kedarnath Jaiswal R.K. Boot House Gali No.4 Telipara, P.S. City Kotwali, Tahsil and District Bilaspur (C.G.).

---- Respondents

For Applicant	:	Mr. Praveen Kumar Tulsian, Advocate
For Respondents	:	None.

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board**01/02/2019**

1. Heard on admission.
2. This revision has been filed against order dated 27/09/2018 passed by the Principal Judge, Family Court, Bilaspur in MJC No. 61/2018, whereby the learned Family Court granted interim maintenance of Rs. 5000/- in favour of each of the Respondents, total Rs 15000/-.
3. I have heard counsel for the Applicant and perused the impugned order.
4. It is an admitted fact that Respondent No. 1 is legally wedded wife of the Applicant and both Respondent No. 2 & 3 are sons of the

Applicant. There is no dispute on the point that presently all the Respondents are residing separately from the Applicant. Whether they can be resided separately without any reasonable cause or not is matter of evidence.

5. From the impugned order, it is clear that the Applicant runs a '*Pashu Aahar Vikraya Kendra*'. As pleaded by the Applicant, his mother is also dependent on him. He himself admitted the fact that there is a medical shop on the name of her mother. Since her mother is dependent on him and is residing with him, therefore, it seems that the medical shop is also run by the Applicant.
6. Looking to the above facts and circumstances, and financial and earning capacity of the Applicant, Rs. 5000/- as interim maintenance granted by the Family Court in favour of each of the Respondents total Rs. 15000/-, in my considered opinion, is just and proper.
7. The revision has no merit and the same is accordingly dismissed at motion stage itself.

Sd/-
(Arvind Singh Chandel)
Judge