

HIGH COURT OF CHHATTISGARH, BILASPUR

CRR No. 1341 of 2018

Durga Prasad S/o Late Heera Sai, aged About 40 Years, R/o Bartunga ,Quarter No. 226 Near Club Colliery Police Station Chirmiri, Tahsil Khadgawan, District Korla Chhattisgarh.

---- Applicant

Versus

1. Smt. Manju Morya, W/o Durga Prasad, aged about 34 years, R/o Ward No. 01 , Jhagrakhand, Police Station Jhagrakhand Tahsil Manendragarh, District Korla Chhattisgarh.
2. Neetu D/o Durga Prasad Aged About 17 Years Minor And They Are Represented By Their Natural Guardian Mother (Non Applicant No.1) R/o Ward No. 01, Jhagrakhand, Police Station Jhagrakhand Tahsil Manendragarh District Korla Chhattisgarh.
3. Rohit S/o Durga Prasad Aged About 13 Years Minor And They Are Represented By Their Natural Guardian Mother (Non Applicant No.1) R/o Ward No. 01, Jhagrakhand , Police Station Jhagrakhand Tahsil Manendragarh District Korla Chhattisgarh.

---- Respondents

For Applicant	: Mr. J.K. Shastri, Advocate
For Respondents	: None.

Hon'ble Shri Justice Arvind Singh Chandel
Order on Board

19/06/2019

1. Heard I.A. No. 01/2018, an application for condonation of delay.
2. For the reasons mentioned in the application the same is allowed.
3. Delay of 119 days is condoned.
4. Also Heard on admission.
5. This revision has been preferred against the order dated 02.05.2018 whereby the learned Family Court has granted monthly maintenance

of Rs.2,000/- in favour of Applicant No.1, Rs.1000-1000/- in favour of Applicant No.2 & 3 respectively.

6. There is no dispute on the point that Respondent No.1 is legally wedded wife of Applicant and out their wed-lock rest of the Respondents were born.
7. In the statements recorded before the Family Court. Respondent No.1, wife and her witness categorically stated that Applicant has performed second marriage with one Babli and from their wedlock one son is also born. This fact has been categorically admitted by the Applicant himself. During his Court statement, he also admitted the fact that without any divorce from Respondent No.1 he performed second marriage.
8. In this circumstances it is clear that Respondent No.1 is residing separately with reasonable cause.
9. Considering the social, financial status and earning capacity of the Applicant, maintenance amount granted by the Family Court is just and proper.
10. I find no merit in this case.
11. Accordingly this revision is dismissed at motion stage itself.

Sd/-

(Arvind Singh Chandel)
Judge