

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRR No. 609 of 2007

1. Mahadeva, S/o Arjun, aged about 80 years, R/o Ompur Basti Chowki Rajgamar, Tahsil & District - Korba (C.G.)
2. Smt. Sukhin Bai, W/o Mahadeva, aged about 75 years, R/o Ompur Basti Chowki Rajgamar, Tahsil and District – Korba (C.G.)

---- Applicants

Versus

1. Tikaram S/o Mahadeva, aged about 53 years, R/o Block No.18 House No. - 5 Behind P.S. Bankimongra, P.S. Bankimongra, Tahsil Katghora, District – Korba (C.G.)
2. Sitaram, S/o Mahadeva, aged about 50 years, R/o House No. - M/144 Ompur Colony Rajgamar, P.S. Rajgamar, Tahsil and District – Korba (C.G.)

----Non-applicants/Respondents

For Applicants – Shri Ravindra Sharma, Advocate.

For Respondents/non-applicants – None.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

22-05-2020

1. This criminal revision has been brought against the order of Family Court, Korba, dated 22-08-2007 passed in MJC No.91/2007 by which prayer for grant of maintenance was partially allowed against respondent No.2.
2. The applicants are parents of respondents 1 and 2 who are living separately and are being neglected for their maintenance by the respondents, therefore, they filed an application under Section 125 of the Cr.P.C. praying for grant of maintenance. The learned Family Court by the impugned order held that the applicants have failed to establish the liability of respondent No.1/non-applicant No.1 in favour of the applicants for grant of maintenance. However, the prayer for maintenance has been partially allowed against respondent No.2/non-applicant No.2 ordering for grant of maintenance of Rs.500/- to each of the applicants per month.
3. It is submitted by learned counsel for the applicants that the maintenance ordered in favour of the applicants is too much on the lower side

and not at all in any sense sufficient to meet the daily expenses of the applicants. The applicants are old aged parents and unable to maintain themselves, therefore, the maintenance ordered against respondent No.2 be enhanced. The grounds raised in the petition against respondent No.1 is given up.

4. Notice issued to upon respondent No.1 has not been served and as the ground in the revision against him has been given up, therefore, there is no need him being heard.

5. Notice upon respondent No.2 has been served and he had been represented earlier, but, there is no appearance on his behalf on this date.

6. After considering the submission made by learned counsel for the applicants and also the facts present in the record of the proceeding before the Family Court, I am of this view that the maintenance ordered needs to be enhanced. Accordingly, the maintenance ordered by the Family Court in favour of the applicants is enhanced to Rs.1500/- to each of the applicants which shall be payable from the date of the application. In this manner this revision petition is disposed off.

Sd/-

(Rajendra Chandra Singh Samant)
Judge