

HIGH COURT OF CHHATTISGARH, BILASPUR

CRR No. 174 of 2020

- Smt. Khileshvari Sharma @ Khushbu Sharma (Peti. In Person), W/o Shri Surjit Singh Jaisy, Aged About 25 Years Residence Of Village Nargoda, Police-Station-Seepat Tahsil and District - Bilaspur Chhattisgarh, Present Address Behind The Kapil Nagar Chowk, Near Sarkanda Gas Godam, Police-Station-Sarkanda, District-Bilaspur, Chhattisgarh.

---- Applicant

Versus

- Surjit Singh Jaisy, S/o Late Raghuvir Jaisy, Aged About 26 Years, Under Police Station Seepat, District - Bilaspur, Residence Of Police Quarter Colony, Police Station Seepat, District-Bilaspur Chhattisgarh Premanent Address Village - Pendri Main Road Near Pond (Talab) Police Station Masturi, District- Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Santosh Pandey, Advocate and Mrs. Khileshwari Sharma, Petitioner in person.
For Respondents	:	Mr. Ravi Maheshwari, Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

10/12/2020

1. The petition has been brought against the order dated 25.11.2019 passed by the Family Court, Bilaspur in MJC No.737/2019 awarding monthly maintenance of Rs.3,500/- to the respondent, which is to be paid by the applicant.
2. It is submitted by the counsel for applicant that the applicant is before this Court praying for enhancement of interim maintenance that has been ordered by the learned Family Court. It was not denied by the respondent side that respondent is in police service and he has salaried income. It was stated in the application that the applicant had monthly income of Rs.40,000/-, however, the salary slip that has been obtained by the applicant through RTI shows that he is getting net salary of Rs.22,256/- per month, therefore, interim maintenance

ordered is too much on lower side. Hence, interference is prayed for by this revision petition.

3. In the reply to the application filed under Section 125 CrPC the respondent has admitted that he is getting monthly salary of Rs.22,000/- This statement that out of the total salary, a sum of Rs.19,000/- is being deducted towards bank installment is required to be verified in the proceeding, but at present I am of this view that the interim maintenance ordered in favor of the applicant is on the lower side and that should have been sufficient to meet the ends of requirement for maintenance of the applicant. Therefore, on the basis of this view, the revision petition is allowed. The impugned order is interfered with. The interim maintenance of Rs.3,500/- granted in favor of the applicant during the pendency of the proceeding under Section 125 CrPC is hereby enhanced to Rs.5,000/- per month which shall be payable from the date of the impugned order.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nisha