

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURCRMP No. 421 of 2020

- Rajesh Shrivastava S/o Late Shri Ramashankar Shrivastava Aged About 58 Years R/o (1) Quarter No. R/20, Pragati Vihar Colony, Patan Road, Amleshwar Tahsil Patan, District Durg Chhattisgarh (2) City Dan South, C. S. P. D. C.L., Behind Hanuman Mandir, In Front Of Khanij Building, Ring Road No. 01, Purena, C. S. E. B. Office, Purena, Raipur District Raipur Chhattisgarh

---- Applicant

Versus

- Smt. Pallavi Shukla (Shrivastava) W/o Rajesh Shrivastava Aged About 43 Years R/o Near Ware House, Ganjpara, Balaod, Tahsil And Police Station Balod District Balod Chhattisgarh

----Non-Applicant

 For Petitioner : Mr. Manish Soni, Advocate

Hon'ble Shri Justice Sanjay K. AgrawalOrder On Board11/02/2020

1. In a proceeding under Section 125 of the Code of Criminal Procedure (henceforth 'Cr.P.C.') filed by the non-applicant herein, the applicant appeared and filed an objection that the application is not maintainable and non-applicant is not his legally wedded wife. That objection has been rejected by learned Family Court, Balod, C.G. by the impugned order dated 07/01/2020 against which this petition

under Section 482 of the Cr.P.C. has been preferred by the petitioner.

2. After hearing learned counsel for the petitioner and after going through the record, I am of the considered opinion that learned Family Court is absolutely justified in rejecting the objection filed by the applicant finding no merit being premature. However, the petitioner is at liberty to raise all the grounds before the concerned family Court and that will be considered by the family Court at the appropriate stage, in accordance with law.

3. With the aforesaid observation, the petition stands dismissed.

Sd/-

(Sanjay K. Agrawal)
Judge

Vishakha