

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRR No. 983 of 2019

Manoj Chandrakar S/o Late Nand Kumar Chandrakar Aged About 38 Years R/o Village And Post Chandrakhuri, Santoshi Chowk, Police Station Pulgaon, Tahsil And District Durg Chhattisgarh.

---- Applicant

Versus

1. Smt. Hemlata Chandrakar W/o Manoj Chandrakar aged about 30 years, R/o Village And Post Chandrakhuri, Santoshi Chowk, Police Station Pulgaon, Tahsil and District Durg Chhattisgarh.
2. Rochak Chandrakar S/o Manoj Chandrakar Aged About 3 Years Minor Through Legal Guardian Mother Smt. Hemlata Chandrakar (Respondent No. 1) R/o Village And Post Chandrakhuri, Santoshi Chowk, Police Station Pulgaon, Tahsil and District Durg Chhattisgarh.

---- Respondents

For Applicant	: Shri Praveen Dhurandhar, Advocate
For Respondents	: Ms. Sangeeta Singh, Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

24-01-2020

1. This revision petition has been brought being aggrieved by the order dated 27.2.2019 passed in Criminal M.J.C. No.1058 of 2018 by the Learned Third Additional Principal Judge, Family Court, Durg.
2. It is submitted by counsel for the applicant that the applicant is not contesting the grant of maintenance to the respondents on the basis of compromise between them and also he is not aggrieved with the other terms that are mentioned in the impugned order. In fact, in the counseling that took place before the Learned Family Court between the parties, Smt. Hemlata Chandrakar - respondent No.1 had agreed that she shall not engage in any other litigation with the applicant or prosecute him in any other case. The same term and condition has not been mentioned in the impugned order, therefore, it is prayed that the

impugned order be modified by including the term that was agreed between the parties.

3. Learned counsel for the respondents opposes the submissions and submits that there had been no such term agreed between the parties and there is nothing mentioned in the report of the Counselor regarding any such term of agreement between the parties, therefore, the petition is without any substance which may be dismissed.
4. Heard both counsel for the parties and perused the material available on record.
5. On perusal of the record of Criminal M.J.C. No. 1058 of 2018 summoned before this Court, it is found that the report of the counselor which is present in the record does not mention any such term, therefore, there being no such term of agreement in writing between the parties and the oral submission that has been made being denied by the respondents' side no such modification can be made in this revision petition. Therefore, I do not any substance in this petition and it is dismissed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge