

HIGH COURT OF CHHATTISGARH, BILASPURCRMP No. 2765 of 2019

- Vijay Kumar Jaiswal, S/o. Ramnath Jaiswal, Aged About 50 Years, Occupation- Head Master, Resident Of Nagar Ramanujganj, Near Power House, Police Station Ramanujganj, District Balrampur - Ramanujganj Chhattisgarh.

---- Petitioner

Versus

- Rekha Jaiswal, W/o. Vijay Kumar Jaiswal, Aged About 44 Years, R/o. Village Dahejwar, Police Station Balrampur, District Balrampur Ramanujganj Chhattisgarh

---- Respondent

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For Petitioner : Mr. Vikas Pandey, Advocate

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Hon'ble Shri Justice Sanjay K. AgrawalOrder On Board06/01/2020

1. In the present petition, Smt. Rekha Jaiswal, respondent herein is the wife of the petitioner. In a proceeding initiated by her under Section 125 of the Cr.P.C., she was granted maintenance amount of ₹1500/- per month which was enhanced to the tune of ₹3500/- per month in her application filed under Section 127 of the Cr.P.C., by learned Judicial Magistrate, First Class Ramanujganj, Balrampur and thereafter, it was further enhanced to the tune of ₹7,000/- per month by the Revisional Court against which, this petition under Section 482 of the Cr.P.C. has been filed by the petitioner questioning the enhancement of the maintenance amount.
2. Learned counsel for the petitioner would submit that both the Courts below are absolutely unjustified in enhancing the maintenance amount from

₹1500/- to ₹7,000/- per month which is shockingly disproportionate to the income, which the petitioner is receiving by way of his service as an Assistant Teacher in a Government School, as such, the order passed by the Court below deserves to be set-aside.

3. I have heard learned counsel for the petitioner.
4. Admittedly, the petitioner is a Government Teacher and is getting a sum of ₹55,365/- as his income after all usual deductions and the learned Revisional Court has enhanced the maintenance amount to the tune of ₹7,000/- per month which is less than 25% of his total income and still, the petitioner is aggrieved against the grant of enhancement amount. It is not a case where the amount of award is excessive or disproportionate to the income of the petitioner, as such, I do not find any merit in this petition.
5. Accordingly, the present petition deserves to be, and is hereby dismissed at admission stage without any notice to the other side.

Sd/-  
**(Sanjay K. Agrawal)**  
Judge