

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRR No. 664 of 2021

1. Hemant Kumar Vaishnav S/o Brij Ballabh Das Vaishnav, Aged About 30 Years, R/o Bisahutola, Police Station Chichola, District Rajnandgaon (Chhatisgarh).

---- Petitioner

Versus

1. Pumpi Vaishnav W/o Hemant Vaishnav, Aged About 26 Years, R/o Bisahutola, Police Station Chichola, District Rajnandgaon (Chhattisgarh) At Present R/o Village Dariyagava, Police Station And Tahsil S/Lohara, District Kabirdham (Chhattisgarh).

---- Respondent

For Petitioner : Mr. Pawan Kumar Kashyap, Advocate.

Hon'ble Shri Justice Gautam Chourdiya

Order on Board

29/11/2021

- 1) Heard on admission.
- 2) The instant revision has been filed under Section 19(4) of the Family Court Act against the order dated 24/07/2021 passed by the Family Court, Kabirdham, District Kabirdham (C.G.) in Miscellaneous Criminal Case No. 24/2020 whereby respondent has been granted interim maintenance @ Rs. 2,000/- per month from the date of order.
- 3) Learned counsel for the petitioner submits that the Court below was not justified in granting interim maintenance to the respondent ignoring the material placed before it. The respondent is living separately from the petitioner without any just and reasonable cause and as such she is not entitled for any maintenance. Therefore, the impugned order is liable to be set aside.
- 4) Heard.

- 5) Considering the entire facts and circumstances of the case, the fact that the respondent is the legally wedded wife of the petitioner, she was allegedly harassed and tortured soon after the marriage in connection with demand of Rs. 2 Lakh and motorcycle as dowry, the allegation and counter allegation between the parties are to be seen in light of the evidence to be adduced by them, the reasons assigned by the Family Court in the impugned order for granting interim maintenance, the fact that nothing could be produced by the petitioner to show the source of income of the respondent, the present day inflation, this Court finds no illegality or perversity in the impugned order granting interim maintenance @ Rs. 2,000/- per month in favour of respondent.
- 6) Accordingly, the revision petition being without any substance is liable to be dismissed at the admission stage itself and is **dismissed** as such.

-Sd/-
(Gautam Chourdiya)
Judge

Chandrakant