

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****FAM No. 261 of 2019**

- Mitesh Panigrahi S/o Late S.K. Panigrahi Aged About 36 Years R/o Dharampura No. 03, Jagdalpur, District Bastar Chhattisgarh.

---- Appellant**Versus**

- Smt. Vedvati @ Mamta D/o Parmanand Joshi Aged About 32 Years R/o Nayapara, Aasna, Tehsil Jagdalpur, District Bastar Chhattisgarh.

---- Respondent

For Appellant	:-	Mr. Vikas A. Shrivastava, Advocate
For Respondent	:-	Mr. Keshav Dewangan, Advocate

Proceedings through Video Conferencing

Hon'ble Shri Justice Prashant Kumar Mishra
Hon'ble Shri Justice N.K. Chandravanshi
Order On Board

By**Prashant Kumar Mishra, J.****09/04/2021**

1. In this appeal under Section 19 (1) of the Family Courts Act, 1984 the appellant would call in question the impugned order passed by the Family Court, Bastar allowing interim maintenance of Rs. 1200/- per month and litigation

expenses of Rs.300/- per month, in total Rs.1500/- per month in favour of respondent wife, in exercise of powers under Section 24 of the Hindu Marriage Act, 1955 (for brevity 'the Act')

2. Appellant husband has preferred a suit for grant of divorce under Section 13 of the Act. On receipt of summons and making appearance, the respondent moved an application for grant of interim maintenance under Section 24 of the Act. There is no dispute that the parties were married on 08.6.2017, according to the Hindu rites and rituals. They did not pull on well during her stay at her matrimonial house, therefore, the appellant has filed the suit for divorce.
3. It was contented by the respondent wife that the appellant has let out his house to six persons and is earning Rs.20,000-25,000/- per month towards rent and is also earning income from agricultural operations, therefore, he should pay interim maintenance and litigation expenses.
4. While passing the impugned order, the family Court has observed that the appellant has not specifically denied the fact of letting out premises to six tenants, therefore, the contention of the respondent wife is found, *prima facie*, believable and interim maintenance of Rs.1200/- per month and litigation expenses of Rs.300/- per month has been allowed.

5. The impugned order does not suffer from any illegality. The interim maintenance is ordinarily allowed in favour of wife when she has no source of income to maintain herself. The amount allowed as interim maintenance is also not on the higher side. In view of the present price index, a sum of Rs.1200 + 300 is a meager amount, therefore, we are not inclined to interfere with the order impugned.
6. In the result the appeal *sans merit* is liable to be and is hereby dismissed, leaving the parties to bear their own cost(s).

SD/-
(Prashant Kumar Mishra)
Judge

SD/-
(N.K. Chandravanshi)
Judge

Gowri