

HIGH COURT OF CHHATTISGARH, BILASPUR

CRR No. 841 of 2021

1. Amrit Lal Tirkey S/o Shri Augustus Tirkey, Aged About 46 Years, Occupation Service, Force No. 670033, 81 Bataliean, Central Reserve Police Force, Jashpur Nagar, (C.G.).

---- Petitioner/Non-Applicant

Versus

1. Smt. Alma W/o Shri Amril Lal Tirkey, Aged About 40 Years, Occupation None, R/o Vinay Tirkey Ka Makan, Durga Mandir Gali, Rambhata, Raigarh, Tehsil And District Raigarh (C.G.) Mo. No. 9753939702.

---- Respondent/Applicant

For Petitioner : Mr. Pawan Shrivastava, Advocate.

Hon'ble Shri Justice Gautam Chourdiya

Order on Board

22/11/2021

- 1) Heard on admission.
- 2) The petitioner/non-applicant has filed this revision petition under Section 19(4) of the Family Court Act challenging the order dated 05/08/2021 passed by the Family Court Raigarh, District Raigarh (CG.) in Cr.M.J.C. No. F-01/2020 whereby the Court allowing has granted interim maintenance Rs. 15,000/- per month from July 2021 in favour of the respondent/Applicant.
- 3) Learned counsel for the applicant submits that the Family Court has committed an illegality by awarding such huge amount as interim maintenance to the respondent because the respondent is a well educated women working as Cook in Cent Ursline, Dharamjaigarh and drawing Rs. 15,000/- salary per month whereas the petitioner having 2 children and old parents to take care of and major amount i.e. Rs. 20,000/- of his salary is deducted towards repayment of loan. Therefore, the impugned order is liable to be set aside.

- 4) Heard.
- 5) Considering the facts and circumstances of the case, the fact that the respondent is the legally wedded wife of the petitioner, the petitioner is getting Basic Salary Rs. 68,000/- Plus 17% DA, though the petitioner has contended that he wants to live with the respondent but no such document has been filed by him which shows that he is willing to live with the respondent, the dependency of the 2 children and parents of the petitioner on him as already considered by the Trial Court, looking to the income of the petitioner and the present day cost of living, this Court finds no illegality or perversity in the impugned order of the Family Court awarding the interim maintenance Rs. 15,000/- per month in favour of the respondent/applicant.
- 6) Accordingly, the revision petition being without any substance is hereby **dismissed** at the admission stage itself.

-Sd/-
(Gautam Chourdiya)
Judge

Chandrakant