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HIGH COURT OF CHHATTISGARH, BILASPUR**CRR No. 858 of 2021**

- Varun Mishra, S/o (Late) Shree Ganga Prasad Mishra, Aged About 34 Years, R/o Bhulai Ka Pura, H. No. 177/27/4a, Govindpur, Teliarganj, Prayagraj (Allahabad), District- Prayagraj (Allahabad) Uttar- Pradesh.

---- Applicant

(Non- Applicant Before The Learned Court Bellow)

Versus

- Chetna Mishra, W/o Varun Mishra, Aged About 30 Years, R/o Through Ashok Kumar Pandey, Vivekanand Nagar, Plot No. 272- B, Mopka, Bilaspur, District- Bilaspur, Chhattisgarh.

---- Respondent

(Applicant Before The Learned Court Bellow)

For Applicant : Shri Mahendra Dubey, Advocate

Hon'ble Shri Justice Gautam Chourdiya, J**Order on Board****26.11.2021**

1. Heard on admission.
2. This revision has been filed under Section 19 (4) of the Family Court Act against the order dated 04.08.2021 passed by Additional Principal Judge, Family Court, Bilaspur, District- Bilaspur (C.G.) in Misc. Criminal Case No. 986/2019 (as per certified copy of the impugned order) whereby the Family Court allowed the application under Section 125 of Cr.P.C. and awarded interim maintenance amount of Rs 7,000/- per month to the respondent/wife from the date of order.
3. Learned counsel for the applicant submits that the Family Court without proper appreciation of the material placed before it, wrongly granted interim maintenance of Rs.7000/- in favour of the respondent which is very much on the higher side. The respondent is residing separately from the applicant without any just and reasonable cause and further that she is fully capable of maintaining herself. Therefore, the impugned order is liable to be set aside.

4. Heard learned counsel for the applicant.
5. The respondent/wife in her application under Section 125 of CrPC averred that the applicant is an officer in the Eastern Bank, Mohaddipur, Gorakhpur and drawing salary of Rs.60,000-70,000/- but no salary slip or any document to this effect was produced by her. Further, though the applicant contended that the respondent is an educated lady and earning Rs.20,000/- through tuition but he also did not produce any documents in this regard. The Family Court considering the pleadings of the respective parties, the admission of the applicant that he is getting Rs.38,437/- per month after deductions, out of which he is paying Rs.15,000/- to her mother for maintenance, which was also not substantiated by producing any documentary evidence, granted Rs.7,000/- per month as interim maintenance in favour of the respondent.
6. Considering the facts and circumstances of the case, the fact that the respondent is the legally wedded wife of the applicant, the income of the applicant, the fact that there is nothing on record to show that the respondent is having any source of income, the socio-economic status of the parties, the value of rupee in the present day, this Court finds no illegality or perversity in the findings recorded by the Family Court granting interim maintenance of Rs.7,000/- per month in favour of the respondent.
7. Consequently, the revision petition being devoid of any substance is liable to be dismissed at the admission stage itself and is, accordingly, dismissed.

Sd/-
(Gautam Chourdiya)
Judge