

**NAFR**

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**CRR No. 921 of 2021**

1. Girdhar Ram Kosariya (Dewangan) S/o Shri Ram Singh, Aged About 41 Years, R/o Village Khujji, Tahsil Dongargaon, District Rajnandgaon (Chhatisgarh).

**---- Applicant/  
(Revisioner)**

**Versus**

1. Smt. Chhaya Kosariya (Dewangan) W/o Shri Girdhar Ram Kosariya (Dewangan), Aged About 31 Years, R/o Sheetala Para, Bhilai - 3, Tahsil Patan, District Durg (Chhattisgarh).

**---- Non-Applicant/  
(Applicant)**

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For Applicant : Mr. Praveen K. Dhurandhar, Advocate.

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**Hon'ble Shri Justice Gautam Chourdiya**

**Order on Board**

**08/12/2021**

- 1) Heard on admission.
- 2) The instant revision has been filed under Section 19(4) of the Family Court Act against the order dated 14/09/2021 passed by the Principal Judge, Family Court, Durg, District Durg (C.G.) in Case No. 471/2021 whereby non-applicant has been granted interim maintenance @ Rs. 4,000/- per month from the date of application.
- 3) Learned counsel for the applicant submits that the Court below was not justified in granting interim maintenance to the non-applicant ignoring the material placed before it. The non-applicant is living separately from the applicant 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 non-applicant is the legally wedded wife of the applicant, nothing has been produced by the applicant showing any source of income of non-applicant whereas admittedly the applicant is working in Railway Department earning Rs. 25,000/- per month, the allegations and counter allegations 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 socio economic status of the parties, the present day cost of living, this Court finds no illegality or perversity in the impugned order granting interim maintenance @ Rs. 4,000/- 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