

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Criminal Revision No.1550 of 2019**

- Prince Singh S/o Late Shri Nirmal Singh Aged About 35 Years R/o Saada Colony, Near Manoranjan Grih, Behind Niharika Talkies, Korba, District Korba Chhattisgarh.

---- Applicant**Versus**

1. Varsha Singh W/o Prince Singh Aged About 26 Years R/o Jarahabhatha, Sindhi Colony, District Bilaspur Chhattisgarh.
2. Siddhant @ Vivan Singh S/o Prince Singh Aged About 6 Years (Minor Through Mother Respondent No. 1), R/o Jarahabhatha, Sindhi Colony, District Bilaspur Chhattisgarh.

---- Respondents

For applicant	: Shri Sanjay Patel, Advocate
For respondents	: Shri Shailesh Tiwari, Advocate on behalf of Shri PR Patankar, Advocate

Hon'ble Shri Justice N.K. Chandravanshi**Order On Board****09.9.2021.**

1. Heard on admission.
2. This revision petition is preferred against order dated 21.11.2019 passed by Family Court, Bilaspur (CG) in Misc. Criminal Case No.407/2018, whereby the learned Family Court while allowing the application filed by the non-applicants under Section 127 of the CrPC, enhanced the amount of maintenance from Rs.4,000/- & Rs.3,000/- to Rs.4,500/- & Rs.3,500/- respectively.
3. Learned counsel for the applicant/husband submits that the applicant is also having the liability of maintaining his younger brother and mother. Looking to his limited income, enhancement is on higher side, therefore, order impugned is liable to set aside.

4. Per contra, learned counsel for the non-applicants 1 & 2 submits that only Rs.500/- each has been enhanced and that too after four years of passing of first order dated 09.11.2015, therefore, order impugned does not call for any interference from this Court.

5. I have heard learned counsel for the parties and perused the material available on record including the impugned order.

6. Perusal of the impugned order shows that vide order dated 09.11.2015 passed in Misc. Criminal Case No.295/2015, maintenance of Rs.4,000/- and Rs.3000/- per month were granted in favour of the non-applicants 1& 2 respectively and thereafter four years has been passed. By the afflux of time, cost of living, health and other basic amenities have been increased and also that after passing of first order, the applicant/husband has got compassionate appointment in Municipal Corporation, Korba and he has admitted that as per his pay slip for the month of June 2018 (Ex-D/6), he was drawing a gross salary of Rs.18441/-. Thus, after about four years, i.e. passing of first order dated 09.11.2015, only Rs.500/- each for both the non-applicants has been increased, which cannot be from any count said that it is on higher side.

7. In view of the above, I do not find any substance in the revision and it is accordingly dismissed in the motion stage itself.

Sd/-

(N.K. Chandravanshi)
JUDGE