

IN THE HIGH COURT OF ORISSA AT CUTTACK

RPFAM No. 222 OF 2015

Nalini Barik and others

..... Petitioners

Ms. Kabita Patra, Advocate

-versus-

Pitambar Barik

.... Opp. Party

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

03.08.2022

Order No.

4. 1. This matter is taken up through Hybrid mode.
2. Vakalatnama filed by Mr. Srinivas Mohanty, learned counsel and associates on behalf of the Petitioners in Court is taken on record.
3. Petitioners in this RPFAM seek to assail order dated 26th August, 2015 (Annexure-1) passed in Crl. Proceeding No.44 of 2013, whereby learned Judge, Family Court, Khordha directed the Opposite Party to pay maintenance of Rs.3,000/- per month to Petitioner No.1 and Rs.1,000/- per month to each of Petitioner Nos. 2 and 3 from the date of application.
4. Ms. Patra, learned counsel for the Petitioners submits that the amount of maintenance directed to be paid by the Opposite Party is not in consonance with the requirements of Petitioners vis-à-vis income of the Opposite Party. She, therefore prays for enhancement of the amount of maintenance. She further submits that assailing the self-same order, the Opposite Party had moved this Court in RPFAM No.159 of

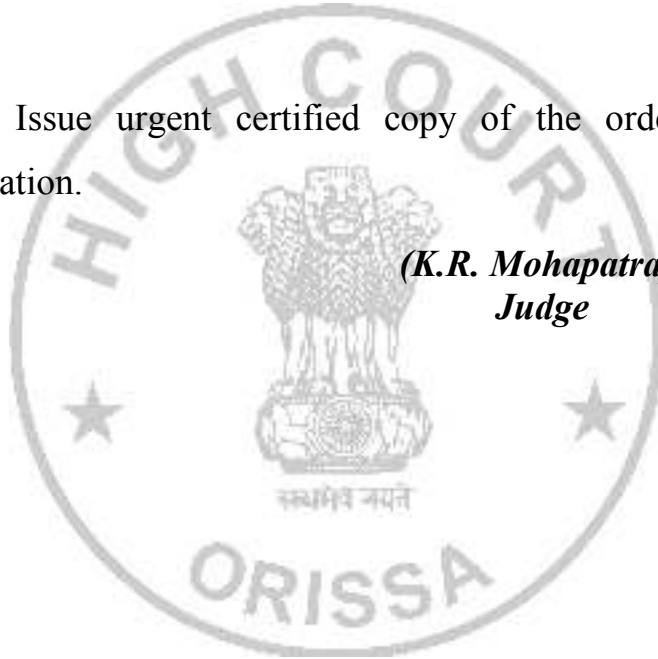
2015, which has already been dismissed for non-prosecution vide order dated 4th July, 2022.

5. In view of the fact that seven years have already elapsed from the date of passing of the impugned order and Petitioners pray for enhancement of the amount of maintenance, interest of justice will be best served if Petitioners move the learned Judge, Family Court, Khordha under Section 127 Cr.P.C. for enhancement of the maintenance amount.

6. With the aforesaid observation the RPFAM is disposed of.

Issue urgent certified copy of the order on proper application.

(K.R. Mohapatra)
Judge



s.s.satapathy