CGHC010429502026 2026:CGHC:46421

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRR No. 1543 of 2026

Uday Banjare Son Of Shri Bagas Ram Banjare, Aged About 22 Years Resident Of Village Tenduwa, Naya Raipur, District Raipur C.G.

... Applicant

versus

1 - Ranjana Banjare Wife of Uday Banjare Aged About 28 Years Resident Of Village Tekari Thana Vidhan Sabha Tehsil And District Raipur C.G.

2 - Khushvant Banjare, Son of Uday Banjare Aged About 1 Years 1/2 Year Minor, Through Legal Natural Guardian Mother Ranjana Banjare, Resident Of Village Tekari Thana Vidhan Sabha Tehsil And District Raipur C.G.

...Non-applicants

For Applicant : Ms. Ankita Goswami, Advocate

(Hon'ble Shri Justice Naresh Kumar Chandravanshi)

Order on Board

03/11/2026

Heard.

1. The instant criminal revision has been preferred by the applicant under Section 19(4) of the Family Courts Act, 1984, challenging the validity and propriety of order dated 19.08.2026 passed by learned Third Additional Principal Judge, Family Court, Raipur (C.G.) in Case No.1142/2025, whereby, the interim maintenance has been granted in favour of the respondents to the tune of Rs.4,000/- and Rs.2,000/- respectively; total Rs.6,000/- per month.

VASANT KUMAR Digitally signed by VASANT KUMAR Date: 2026.11.03 16:39:43 +0530

2. Learned counsel for the applicant/husband would submit that respondent No.1/wife has left the company of the applicant/husband along with their son without any sufficient or justifiable reason. She would further submit that the applicant/husband is working as a private car driver and earning a meagre salary. His employment is also not permanent in nature. Despite his limited and uncertain income, the learned Family Court has awarded a total sum of Rs.6,000/- per month towards interim maintenance in favour of respondent No.1/wife and their son, which is excessive and on the higher side. Hence, it is prayed that the amount of interim maintenance may suitably be modified.

3. I have heard learned counsel for the applicant and perused the material available on record.

4. It is not disputed by the applicant/husband that respondent No.1 is his legally wedded wife and respondent No.2 is their son. The applicant/husband has not filed his affidavit of income, assets and liabilities before this Court, as required in terms of the directions issued by the Hon'ble Supreme Court in ***Rajnesh Vs. Neha & Another, (2021) 2 SCC 324 (Criminal Appeal No. 730 of 2020, decided on November 4, 2020)***. Consequently, there is no material available on record to ascertain his actual income and financial liabilities. On the other hand, respondent No.1/wife has specifically stated that the applicant/husband has sufficient sources of income, as he is working as a delivery agent with Zomato and earning approximately Rs.22,000/- per month. She has further alleged that he owns agricultural land, runs a brick kiln and also derives rental income from a house. At this stage, the question as to whether respondent No.1/wife had sufficient justification for leaving the

company of the applicant/husband is not required to be adjudicated and the same may appropriately be considered by the learned trial Court on the basis of the evidence adduced by the parties. Admittedly, respondent Nos.1 and 2 have no independent source of income and the marital relationship between the applicant and respondent No.1 is not in dispute. Having regard to the aforesaid circumstances and the prevailing cost of living, the award of interim maintenance of Rs.4,000/- per month in favour of respondent No.1/wife and Rs.2,000/- per month in favour of respondent No.2/son, totalling Rs.6,000/- per month, cannot be said to be excessive or exorbitant. Therefore, this Court finds no ground to interfere with the impugned order at this stage. Accordingly, this Court is not inclined to admit the instant revision petition.

5. Accordingly, this revision is dismissed at motion stage.

Sd/-
(Naresh Kumar Chandravanshi)
Judge

Vasant