

**(2019) 08 CHH CK 0151**

**Chhattisgarh High Court**

**Case No:** CRR No. 1001 Of 2019

Dr. Rupank Patil

APPELLANT

Vs

Manisha Patil And Ors

RESPONDENT

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**Date of Decision:** Aug. 22, 2019

**Acts Referred:**

- Code Of Criminal Procedure, 1973 - Section 125

**Hon'ble Judges:** Rajani Dubey, J

**Bench:** Single Bench

**Advocate:** Praveen Das

**Final Decision:** Allowed

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### **Judgement**

Rajani Dubey, J

1. Heard on admission.  
2. This revision is directed against the order dated 9.7.2019 passed by the 2nd Additional Principal Judge, Family Court, Raipur (CG) in Case

No.739/2018, whereby, the Court below has granted interim maintenance of Rs.15,000/- and Rs.5,000/- per month to respondent Nos. 1 and 2 respectively.

3. Learned counsel for the applicant submits that the maintenance amount granted to the non-applicants is on the higher side and without giving opportunity to the applicant. He submits that non- applicant No.1 (wife) along with her daughter, non-applicant No.2, is living separately without sufficient reason from her husband/ applicant. He submits that the trial Court has wrongly held that the respondent is paying Rs.8000/- per month as rent, therefore, the order passed by the trial Court is liable to be set aside.

4. Upon due consideration, instead of issuing notice to the non-applicants, it is directed that the trial Court shall dispose of the main petition under Section 125 Cr.P.C. on cooperation by the parties as early as possible preferably within a period of three months from the next date of hearing.

5. It is made clear that if any delay occurs on behalf of the non-applicants then the trial Court shall reconsider the application for interim maintenance.

6. The revision is accordingly allowed.