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(2019) 08 CHH CK 0151

Chhattisgarh High Court

Case No: CRR No. 1001 Of 2019

Dr. Rupank Patil APPELLANT

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Manisha Patil And Ors RESPONDENT

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

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.