

(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

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.