

(2012) 04 AHC CK 0179**Allahabad High Court****Case No:** Criminal R. No. 1826 of 2010

Anurudh Kumar

APPELLANT

Vs

State of U.P. and others

RESPONDENT

Date of Decision: April 5, 2012**Acts Referred:**

- Criminal Procedure Code, 1973 (CrPC) - Section 125

Hon'ble Judges: Ramesh Sinha, J**Bench:** Single Bench**Advocate:** M.J. Akhlar. Om Prakash Mishra, Surendra Singh and Surendra Sharma, for the Appellant; H.L. Pandey and Vinod Kant Mishra . G.A., for the Respondent**Final Decision:** Dismissed**Judgement**

@JUDGMENTTAG-ORDER

Ramesh Sinha, J.

Today, an illness slip has been sent by Sri Om Prakash Mishra, learned counsel for the revisionist. Sri H.L. Pandey, learned counsel for opposite party Nos. 2 and 3 has drawn the attention of this Court that Sri Om Prakash Mishra, learned counsel for the revisionist has been sending regular illness slips when the matter was listed before this Court at regular interval.

2. From the order-sheet of this Court it transpires that Sri Om Prakash Mishra had sent illness slips on 17.8.2011, 28.9.2011, 19.10.2011 and 20.1.2012, respectively due to which the present case was adjourned by the Court. On 1.2.2012 when the matter was lastly listed, on the prayer made by the learned counsel for the revisionist, the matter was directed to be listed in the next cause list. Hence, the case is listed today. Thus, it is difficult to honour the illness slip of Sri Om Prakash Mishra today and the Court proceeds to hear the case.

3. Heard Sri H.L. Pandey, learned counsel for opposite party Nos. 2 and 3 and learned A.G.A. for the State and perused the record.

4. This Court on 14.6.2010 passed an interim order and the matter be referred to the Mediation Centre subject to the condition that the revisionist shall deposit a sum of Rs. 15,000 within two weeks from the date of the order in the Mediation Centre at Allahabad. As per the report of the Mediation Centre dated 17.7.2010. it has been informed that the revisionist has not deposited Rs. 15,000. as directed by this Court vide Court's order dated 14.6.2010. It was also informed by the counsel for opposite party No. 2 that wife Smt. Sucheta appeared before the Mediation Centre at Allahabad but the revisionist did not turn up.

5. This revision has been preferred against the judgment and order dated 12.3.2010 in Case No. 39 of 2006. Smt. Sucheta and another v. Anuruddh Kumar, u/s 125. Cr. P.C. passed by Additional Principal Judge. Family Court. Allahabad by which the Family Court granted Rs. 2,500 per month to opposite party No. 2 till alive and Rs. 1,000 per month to opposite party No. 3 till attaining the age of majority. After perusing the order dated 17.3.2010 of the Family Court, I do not find any illegality, impropriety and irregularity in the same. The revision lacks merit and it is accordingly dismissed.

The interim conditional order passed by this Court on 14.6.2010 stands vacated.