



c. s. 10

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (CHHATTISGARH)

13

232/02

CRIMINAL REVISION No. 232 / 2002

APPLICANT:

Abdul Salim, son of Abdul Rauf, aged about 32 years, working as Driver, Chirimiri Open Cast Colliery, resident of Chirimiri Colliery, P.S. Chirimiri, presently residing C/O Zahid Hussain, pay load operator, resident of Pondi colliery, P.O. Pondi colliery, Tah: Manendragarh, Dist: Korea (Chhattisgarh).

1907
Filed on 1-5-82
by Shri. R. K. Gupta
Advocate
R. to D.R. (J)

Versus

NON-APPLICANT:

Abdul Rauf, son of Abdul Rajak, aged about 66 years, retired colliery employee, resident of Godripara, Kurasia colliery, P.S. Chirimiri, Tah: Manendragarh, Dist: Korea (Chhattisgarh).

CRIMINAL REVISION U/S 397 and 401 OF CRIMINAL

PROCEDURE CODE: 1973.

मामला क्रमांक G. Rev. 232/ सन् 2002

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	<p><u>21/11/2002: -</u></p> <p>Heard Shri R.P. Gandharva, learned counsel for the applicant.</p> <p>The applicant has in this revision petition challenged the order dated 13.03.2002 passed by the learned Additional Sessions Judge, Manindragarh, in Criminal Revision No.121/2001, arising out of the order dated 26.05.2001 passed by the learned Judicial Magistrate, Manindragarh, in M.Cr.C.No.11/2000.</p> <p>The respondent herein filed a petition under Section 125 of Cr.P.C. claiming maintenance of Rs.4,000/- per month from the applicant. The learned Magistrate by his order dated 26.05.2001 rejected his application. Thereafter, the respondent filed Criminal Revision No.121/2001 before the Additional Sessions Judge, Manindragarh. The learned Sessions Judge allowed the revision petition and directed the applicant to pay Rs.1,000/- per month as maintenance to the respondent.</p> <p>The respondent was working in S.E.C.L. He was declared medically unfit. The applicant was given compassionate appointment in place of the respondent and the allegation is that the applicant has neglected to maintain him.</p>	

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक G. Rev. 232/ सन् 2002

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Brajesh/Soma	<p>Having regard to the facts and circumstances of the case and the fact that the applicant is working in S.E.C.L. and earning sufficient income, the impugned order passed by the learned Sessions Judge, directing the applicant to pay Rs.1,000/- per month as maintenance to the respondent is just and proper. In the circumstances, I am of the opinion that this revision petition is liable to be rejected and it is rejected.</p>	<p style="text-align: center;">Sd/- Chief Justice</p>