

**Cr.MMO No. 100/2003**

**31.10.2008** Present: Mr. Romesh Verma, counsel for the petitioner.  
Mr. B.N. Gupta, vice counsel for respondent No. 1.

Report of Director, Central Forensic Science Laboratory, Chandigarh has been received. As per report, respondent Jai Dev Sharma is the biological father of the petitioner. In view of this report, respondent No. 1 has made a statement accepting his liability to maintain the petitioner, being his unmarried daughter and has offered to pay maintenance at the rate of Rs. 700/- per month in terms of the order dated 11.12.2002 of Learned Chief Judicial Magistrate, Solan up to this day, i.e. 31<sup>st</sup> October 2008 and at the rate of Rs. 1000/- per month from 1st November 2008, provided the petitioner does not seek further enhancement for the next five years. Offer has been accepted by the petitioner, per separate statement of her counsel. It may be stated that petitioner is no longer a minor.

In view of the above stated position, petition is allowed. Impugned order dated 19.8.2003 passed by Learned Sessions Judge, Solan is set aside and the order passed by Learned Chief Judicial Magistrate on 11.12.2002 granting maintenance at the rate of Rs. 700/- per month in favour of petitioner Dharamlata and against respondent Jai Dev is

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restored. Further, it is ordered that up to this day i.e., 31<sup>st</sup> October 2008 respondent Jai Dev Sharma shall pay maintenance allowance to the petitioner in terms of order passed by the learned Chief Judicial Magistrate, which order is dated 11.12.2002 and from 1.11.2008 the rate of maintenance shall be Rs. 1000/- per month.

Petition stands disposed of.

**October 31, 2008**<sub>(vs)</sub>

**(Surjit Singh), J.**

