

CRR No.332/2016**30.06.2016**

Shri P.K. Vishwakarma, learned counsel for the applicant.

Shri Vishal Modiwal, Advocate appears and accepts notice on behalf of the respondents.

With consent of learned counsel for the parties, heard finally.

ORDER

This revision is filed against the judgment passed by 16th Addl. Sessions Judge (ASJ), Indore in Cr. Appeal No.145/2014 on 20.2.2016 whereby dismissed the appeal of applicant-wife and affirmed the order passed by the Judicial Magistrate, First Class, Indore in Cr. Case No.610/2014 on 3.3.2015.

2. Learned counsel for the applicant submits that the respondent No.1-husband is earning Rs.2,00,000/- per month from running the coaching institute and he is also practising as Chartered Accountant and earning Rs.1,00,000/-. He submits that the Courts below have awarded only a sum of Rs.5,000/- per month towards maintenance. The amount is a meagre amount, therefore, it be enhanced. It is further submitted that the Courts below have not considered the matter in its right perspective and, therefore, orders be set aside and the amount of maintenance be enhanced.

3. Learned counsel for the respondents opposes the prayer and submits that there is no ground for interference at this stage. After considering the material on record, learned Magistrate has fixed the amount of interim maintenance which has been affirmed by the lower appellate Court.

4. After hearing learned counsel for the parties, I have perused the record and I am of the view that learned counsel for the applicant has failed to point out that the orders passed by Courts below are perverse or contrary to law and facts on record. Thus, no interference is called for by this Court at this stage

5. Resultantly, this revision deserves to be and is hereby dismissed. However, learned trial Court is directed to make all endeavour to decide the case within a period of three months from the date of receipt of certified copy of this order. Parties are also directed to cooperate with the trial. In case, any party delays the proceedings, then the trial Court may reconsider the order of granting interim maintenance.

Ordered accordingly.

(JARAT KUMAR JAIN)
JUDGE.

Alok/-