

**HIGH COURT OF TRIPURA
AGARTALA**

Crl. Rev. P. No. 19 of 2018

Padma Kishore Chakma

-----Petitioner(s)

Versus

Jasmin Chakma

-----Respondent(s)

For Petitioner(s)	:Mr. P. B. Chakma, Adv.
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For Respondent(s)	:Mr. S. Debnath, Adv.
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HON'BLE THE JUSTICE MR. S. TALAPATRA

Order

21/12/2018

Heard Mr. P. B. Chakma, learned counsel appearing for the petitioner as well as Mr. S. Debnath, learned counsel appearing for the respondent.

This is a revision petition, filed under Section 19(4) of the Family Courts Act, 1984 against the judgment & order dated 16.04.2018 delivered in Crl. Misc. (125)-113/2017 by the Judge, Family Court, Kailashahar, Unakoti Tripura.

The respondent being the daughter of the petitioner instituted the action under Section 125 of Cr.P.C. as the petitioner had refused to maintain her. The Judge, Family Court after recording the evidence and coming to the inference that the petitioner has indeed refused to maintain his own daughter, who is studying now in class XII and preparing for the final examination next year and directed him to pay a sum of Rs.10,000/- per month as maintenance to her.

Mr. Chakma, learned counsel has candidly submitted before this court, that whatever family disputes have taken their sway between the respondent and the petitioner, the petitioner has to maintain a very big family. There are numerous dependants and if that sum which has been granted as maintenance by the Judge, Family Court is paid every month, he would be failing to maintain the other dependants.

Be that as it may, having due regard to the evidence in the respect of income and the statement that has been made by Mr. Chakma, learned counsel in the proceeding, this court of the view that the maintenance allowance may be reduced to Rs.8,000/- per month. This court has taken the advantage of presence of the respondent in the court. She has immediately agreed to this reduction.

The petitioner is directed to pay Rs.8,000/- every month to the respondent within the 7th day of every English calendar month. Failure to observe the direction of this court will invite stern action against him under Section 128 of the Cr.P.C. or under Section 125(3) of the Cr.P.C.

Mr. Chakma, learned counsel has assured this court that the petitioner (the father) shall observe the direction of the court and regularly pay the maintenance.

For purpose of remittance, there will be two alternatives available to the petitioner, viz. (1) remittance by transfer in the Bank Account of the respondent or (2) by money order. In the

event of sending the remittance by money order, the charge that will be required will be borne by the petitioner.

This petition is allowed to the extent as indicated above.

A copy of this order be furnished to the learned counsel for the parties, free of cost in the course of the day.

JUDGE



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