

Court No. - 15

Case :- CRIMINAL REVISION No. - 618 of 2024

Revisionist :- Dilshad Ali @ Raju Ali

Opposite Party :- State Of U.P. Thru. Prin. Secy. Home Deptt.
Lko. And 2 Others

Counsel for Revisionist :- Saurabh Saxena, Mata Prasad
Chaturvedi, Shiv Kumar Yadav

Counsel for Opposite Party :- G.A.

Hon'ble Karunesh Singh Pawar, J.

Heard learned counsel for the revisionist, learned A.G.A. for the State-respondent No.1.

In view of the proposed order being passed, notices to respondent Nos.2 and 3 is dispensed with.

This revision has been filed against the order dated 10.04.2024 passed by Principal Judge, Family Court, Lucknow in Criminal Misc. Case No.1167 of 2020 filed under Section 125 Cr.P.C. by which the maintenance of Rs.6,000/- per month and Rs.2,000/- per month has been awarded respectively to respondent Nos.2 and 3.

Perused the record.

Perusal of the record shows that respondent Nos.2 and 3 are destitute and are unable to maintain themselves. Since the revisionist has re-married after leaving the respondent No.2 therefore, she is residing away from him which is a sufficient cause. No evidence has been filed nor any averment has been made by the revisionist before the learned trial court that he is incapable of earning his livelihood.

On the contrary, in his proprietorship, Pawan Steel Fabricators Lakadmandi near Gueyan Devi Mandir Shadatganj, Lucknow a shop is shown thus, learned trial court while deciding the issue No.3 has rightly concluded that in spite of the fact that

revisionist is capable of maintaining the respondents he has neglected them. Respondent No.2 is a legally wedded wife of the revisionist and respondent No.3 is his minor daughter. Respondent No.2 is residing away from the revisionist for a sufficient cause. Revisionist is having enough resources to maintain the respondents however, he has neglected them towards their maintenance as such they are entitled for the maintenance.

Considering all these aspects, this Court finds that learned trial court has rightly concluded that respondent Nos.2 and 3 are entitled for monthly maintenance of Rs.6,000/- and Rs.4,000/- per month, there is no illegality or impropriety in the order impugned. Revision being devoid of merits is accordingly ***dismissed.***

Order Date :- 31.5.2024

Saurabh Yadav/-