



2025:CGHC:47279



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****CRR No. 441 of 2020**

Smt. Rupa Dewangan S/o Girish Dewangan Aged About 27 Years
Presently Residing At Ganesh Para, Motipur Ward No. 08 Rajnandgaon,
Tehsil And District Rajnandgaon, Chhattisgarh.

... Applicant**versus**

Girish Dewangan S/o Shri Basant Dewangan Aged About 33 Years
Occupation - Post Data Accountant, Health Department Thanaud Durg,
Resident of Kadambri Nagar, Near Shiv Mandir, Police Station Mohan
Nagar, Tehsil And District Durg, Chhattisgarh

... Respondent

For Applicant : Mr. Rajendra Patel, Advocate

For Respondent : Mr. Manoj Chandra, Advocate

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****15.09.2025**

1. Heard Mr. Rajendra Patel, learned counsel the applicant. Also heard Mr. Manoj Chandra, learned counsel for the respondent.
2. This criminal revision has been filed by the applicant with the following prayer:

*"It is therefore, prayed that this Hon'ble Court
may kindly be pleased to allow this Revision
and the order impugned dated 20.01.2020*



*passed by the learned Judge, Family Court
Rajnandgaon (C.G.) in MJC No. 111/2018
may kindly be set aside, in the interest of
justice.”*

3. The facts, in brief, are that the marriage between the applicant and the respondent was solemnized on 25/03/2018 as per customary rituals. It is alleged that after a brief period of peaceful cohabitation, the respondent started harassing the applicant, stating that he did not like her and would not keep her in his house. The applicant has further alleged that the respondent, soon after marriage, assaulted and abused her, made objectionable remarks on her character, consumed liquor, and even accused her of being a 'Tonhi,' insisting that she should not live with him. It is submitted that the respondent is employed as a Post Data Accountant in the Health Department at Thanaud, District Durg, and has sufficient means to maintain the applicant. Accordingly, she claimed maintenance of Rs. 7,000/- per month. The respondent, upon appearance, filed a written statement denying the allegations, contending that he had made efforts to bring the applicant back, but she refused to return and is living with her parents out of her own free will. He further claimed that the applicant is employed and capable of maintaining herself. After hearing both sides, the learned family Court, by order dated 20/01/2020, rejected the applicant's claim for maintenance, hence this revision petition.
4. Learned counsel appearing for the applicant submits that the order passed by the learned family Court is bad in law and contrary to the



facts on record, as it failed to appreciate that the applicant is an unemployed woman with no independent source of income and is residing with her parents, who are also dependent on her. The learned court below overlooked the fact that the applicant was subjected to cruelty and harassment by the respondent and his family, including physical assault, abuse, and objectionable remarks on her character, along with false allegations of her being a 'Tonhi.' The applicant had even lodged a complaint at Police Station Mohan Nagar regarding the continuous harassment. Despite these facts, the trial court, without proper appreciation of the evidence and circumstances, erroneously rejected the applicant's claim for maintenance.

5. On the other hand, learned counsel, appearing for the respondent opposes the prayer made by the learned counsel for the applicant and supports the impugned order passed by the learned Judge, Family Court, Rajnandgaon, District- Rajnandgaon, (C.G.).
6. I have heard learned counsel for the parties, perused the pleadings and documents appended thereto.
7. From the perusal of the impugned order, it transpires that the marriage between the applicant and the respondent was solemnized on 25/03/2018 as per customary rituals. After considering the pleadings and evidence of both parties, the learned Family Court found that the applicant had failed to establish her allegations of harassment, cruelty, and false accusations against the respondent. The court observed that the respondent had made



sincere efforts to bring the applicant back to the matrimonial home, but she refused to return and has been residing with her parents out of her own free will. It was further held that the applicant is gainfully employed and has sufficient means to maintain herself, whereas the respondent, though employed as a Post Data Accountant in the Health Department at Thanaud, District Durg, cannot be burdened with maintenance in such circumstances. Accordingly, the learned Family Court, by its well-reasoned order dated 20/01/2020, rightly rejected the applicant's claim for maintenance.

8. Considering the submission advanced by the learned counsel for the parties and perusing the impugned order and the finding recorded by the learned Family Court, I am of the view that the Family Court has not committed any illegality or infirmity or jurisdictional error in the impugned order warranting interference by this Court.
9. Accordingly, the criminal revision, being devoid of merit, is liable to be and is hereby **dismissed**.
10. Let a copy of this order as well as original records be transmitted to the trial Court concerned forthwith for necessary information and compliance.

Sd/-
(Ramesh Sinha)
Chief Justice