

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

CRR No. 268 of 2023

Nilesh Vaishnav **Versus** Smt. Vimla Rao

With

CRR No. 543 of 2023

Smt. Vimla Rao & anr **Versus** Nilesh Vaishnav

17.07.2023	Mr. R. K. Gomasta and Mr. C. K. Sahu, Counsel for the husband – Nilesh Vaishnav Mr. Syed Imtiaz Ali, Counsel for the wife – Smt. Vimla Rao. Perused the CRR No.268/2023. Perusal of the the mediation report dated 05.07.2023 shows that the mediation has been failed as not settled. Learned counsel for the husband prays for some more time to file affidavit in compliance of earlier order dated 12.05.2023 and in view of Rajnesh Vs. Neha, (2021) 2 SCC 324 with regard to income and liabilities of the husband. As a last indulgence, 3 weeks' time is granted to file the same. Also perused the CRR No.543/2023. Heard on IA No.1/2023 – Application for condonation of delay in CRR No.543/2023. On due consideration, delay is condoned. The wife has filed this revision for enhancement of maintenance amount. The Family Court has directed the husband to pay an amount of Rs.6000/- and Rs.4,000/- to applicant No.1-wife and applicant No.2 – daughter, respectively

from the date of filing of the application i.e. 02.02.2021.

Mr. R. K. Gomasta, counsel for husband submits that, husband is posted as Medical Representative. He also stated that wife is living separately without any sufficient cause.

Learned counsel for the wife submits that the husband is not complying with the order passed by the Family Court.

Considering the aforesaid submissions, the husband is directed to pay the amount of maintenance to the wife and daughter as directed by the Family Court, till final disposal of these revisions.

However, if the applicant fails or refuse to comply with the aforesaid direction, the wife shall move execution application in accordance with law.

Both cases being arguable are **admitted** for hearing.

List both revisions together after 8 weeks for final hearing at motion stage.

Sd/-

(Deepak Kumar Tiwari)
Judge