



2026:CGHC:18401



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****CRR No. 522 of 2026**

Omprakash Sonkar S/o Shatrughan Sonkar Aged About 40 Years Occupation Daily Basis Worker At P.W.D. Department, R/o Chhirarapara, Ganesh Chowk Ward No. 61, Bhathagaon P.S. Puranibasti , Tah. And District- Raipur (C.G.) (Non Applicant Before Trial Court)

... Applicant**versus**

1. Smt. Damini Sonkar W/o Omprakash Sonkar Aged About 36 Years R/o Ward No. 61, Shri Ram Chowk Bhathagaon P.S. Puranibasti , Tah. And District- Raipur (C.G.) (Applicant Before Trial Court)
2. Raghav Sonkar (Minor) S/o Omprakash Sonkar Aged About 2 Years Through Legal Guardian Mother R-1 R/o Ward No. 61, Shri Ram Chowk Bhathagaon P.S. Puranibasti, Tah. And District- Raipur (C.G.) (Applicant Before Trial Court)

... Respondents

For Applicant : Ms. Yatika Verma, Advocate.

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****22.04.2026**

1. Heard Ms. Yatika Verma, learned counsel, appearing for the applicant.
2. The present revision has been filed by the applicant with the following prayer:

"It is prayed that the Hon'ble court may kindly be pleased call the record of the trial court and further pleased to allow this revision pass and set aside the order dated 02/03/2026 passed by the trial court in the



interest of justice.”

3. Facts of the case are that the applicant has filed an application under Section 144 of the B.N.S., 2023 seeking maintenance of Rs. 20,000/- per month against the applicant (herein) before the trial court, along with an application for interim maintenance. As per the applicant, the marriage between the applicant and the respondent No. 1 was solemnized on 12.05.2022 at Raipur (C.G.). At the time of marriage, the applicant received gold and silver ornaments as per the financial capacity of the parents of respondent No.1, and the family members of the applicant never demanded dowry from respondent No. 1 nor subjected her to any physical violence or abuse.
4. The learned trial court, by its order dated 02.03.2026, allowed the interim application filed by respondent No. 1 and directed the applicant to pay Rs. 5,000/- per month as interim maintenance to respondent No. 1 and Rs. 3,000/- per month to respondent No. 2, totaling Rs. 8,000/- per month.
5. The respondent No. 1 has stated that on 25.07.2023, the marriage was blessed with a son, i.e., respondent No. 2. It is further stated that from the very beginning, respondent No. 1 has been making baseless and malicious allegations against the applicant and his parents and had filed a false complaint at the Women's Police Station. On 05.07.2024, respondent No. 1, along with her minor child, left the matrimonial home and went to her parental house without informing the applicant. The respondent No. 1 is working as a computer operator at a medical complex in Raipur and is earning approximately Rs. 15,000/- to Rs. 20,000/- per month. The applicant is an unskilled daily-wage worker in the P.W.D., earning Rs. 11,093/- per month. Therefore, the application filed by the applicant is liable to be dismissed without costs.



6. While replying to the application, the applicant has stated that the respondent No. 1 is an educated and working woman earning a sufficient income, has no liabilities, and voluntarily left the company of the applicant without any sufficient reason and refused to live with him. On the contrary, the applicant has the responsibility of maintaining his aged mother and his permanently disabled younger sister.
7. The learned trial Court, without properly considering the facts and evidence available on record, granted interim maintenance of Rs. 5,000/- per month in favour of Applicant No. 1 and Rs. 3,000/- per month in favour of Applicant No. 2 by order dated 24.07.2025, against which the revisioner has preferred the present revision on the following grounds, amongst others.
8. Learned counsel for the applicant submits that the impugned order passed by the learned trial court is arbitrary, illegal, and unjustified, therefore, it is liable to be set aside. She submits that the learned trial court has not properly considered the facts and evidence available on record while passing the order of interim maintenance, which is on the higher side. She further submits that the learned trial court has not properly appreciated the liabilities of the applicant prior to passing the impugned order. The respondent No. 1 voluntarily left the house of the applicant without any reason or rhyme, out of self-satisfaction and ego, therefore, the application filed by the applicant is not maintainable. She further submits that as per the case of the applicant, she is presently residing with her parents, therefore, she does not require such a huge amount of interim maintenance to maintain her social status. She also submits that the applicant is an unskilled daily-wage worker in the P.W.D., earning a salary of Rs. 11,093/- per month, therefore, the application filed by the applicant is liable to be dismissed without costs.



The respondent No. 1 is working as a computer operator at a medical complex in Raipur and is earning approximately Rs. 15,000/- to Rs. 20,000/- per month. The applicant has the responsibility of maintaining his aged mother and his permanently disabled younger sister. Considering the condition and liabilities of the applicant, the order granting maintenance in favour of the respondents is not justified in the eyes of law and is liable to be reduced.

9. I have heard learned counsel for the applicant, perused the pleadings and documents appended thereto.
10. Upon perusal of the impugned order, it transpires that the learned Family Court, after duly considering the pleadings, documents, and evidence adduced by the parties, has partly allowed the application filed by the respondents under Section 144 of the BNSS. The learned Family Court, upon appreciation of the material available on record, has awarded interim maintenance of Rs. 8000/- to the respondents (Rs. 5,000/- to respondent No. 1 and Rs. 3,000/- to respondent No. 2).
11. Considering the submission advanced by the learned counsel for the applicant, materials available on record and also considering the price index and medical expenses, total amount awarded to the respondents cannot be said to be shockingly on higher side warranting interference by this Court in the present revision petition.
12. Accordingly, the criminal revision being devoid of merit is liable to be and is hereby **dismissed**.

Sd/-
(Ramesh Sinha)
Chief Justice