



2025:CGHC:38831



2025:CGHC:3883

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****CRR No. 628 of 2023**

Sunil Singh Bhuwal (Wrongly Mentioned As Sunil Kumar Bhuwal In The Order) S/o Pankaj Kumar Bhuwal (Wrongly Mentioned As Pankaj Bhuwal In The Order) Aged About 37 Years Occupation- M.R. R/o House No. B-19, Pahadi Chowk, Krishna Nagar Colony, Gudhiyari, P.S. Gudhiyari, Raipur Chhattisgarh (Non Applicant)

--- Applicant(s)**versus**

1 - Smt. Swati Bhuwal W/o Sunil Singh Bhuwal (Wrongly Mentioned As Sunil Kumar Bhuwal In The Order) Aged About 35 Years Occupation- House Wife, R/o House No. B-19, Pahadi Chowk, Krishna Nagar Colony, Gudhiyari, P.S. Gudhiyari, Raipur Chhattisgarh. At Present R/o Ward No. 11, Ganjpara, Durg Road, Bemetara, P.S. And District- Bemetara Chhattisgarh (Applicant)

--- Respondent(s)**CRR No. 888 of 2023**

Smt. Swati Bhuwal W/o Sunil Singh Bhuwal Aged About 35 Years R/o Ward No. 11, Ganjpara Durg Road, Bemetara, Tehsil And District - Bemetara (C.G.)

---Applicant(s)**Versus**

Sunil Kumar Bhuwal S/o Pankaj Bhuwal Aged About 37 Years R/o Qtr. No. B/19, Krishna Nagar Colony, Pahadi Chowk, Gudhiyari Raipur, Tehsil And District - Raipur (C.G.)

---- Non-applicant(s)

For Applicant

:Mr. Suresh Tandan, Adv. in CRR No.628/2023



2025:CGHC:38831

For Non-applicant :Ms. Kanchan Kalwani, Adv. holding the brief of
Mr. Kanwaljeet Singh, Adv. in CRR No. 628/2023

And

For Applicant :Ms. Kanchan Kalwani, Adv. holding the brief of
Mr. Kanwaljeet Singh in CRR No.888/2023

For Non-applicant :Mr. Suresh Tandan, Adv. in CRR No.888/2023

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

05/08/2025

1. Since the aforesaid two criminal revisions have been filed against the same order, they are being decided of by this common order.

2. In the present case, an application for maintenance was filed on behalf of the wife, Smt. Swati Bhuwal. The learned Family Court, Bemetara, District Bemetara, vide order dated 27.05.2023, granted a monthly maintenance amount of ₹6,000/- to the wife, Smt. Swati Bhuwal. Being aggrieved by the said order, both parties preferred criminal revision petitions. The wife, Smt. Swati Bhuwal, filed Criminal Revision No. 888/2023, contending that the amount awarded is inadequate, unjust, and does not meet the rising cost of living; hence, it deserves to be enhanced suitably. On the other hand, the husband, Sunil Singh Bhuwal, filed Criminal Revision No. 628/2023, asserting that the amount awarded is excessive and beyond his financial capacity, and therefore, the same deserves to be reduced/set-aside.

3. Mr. Kanchan Kalwani, learned counsel appearing for wife Smt. Swati Bhuwal would submits that the order of learned Family Court is based on conjecture and surmises. He further submits that the learned Family



Court has failed to appreciate that the husband is working as a senior medical representative with 10 people working under him and getting salary of Rs. 50,000/- per month. In addition to this, he earned commission from medical stores. The learned Family Court, while awarding the maintenance amount of Rs. 6000/- per month, has not taken into consideration the fact that the husband owns a pakka house in Raipur, plots in two other places and 8 acres of irrigated farm land in Village Godmarra, from which he earns an income of Rs. 8 lakhs per year. Further, his father also works on Grade II level. Therefore, it is amply clear that the husband is a financially affluent person and lives a very comfortable life. He further submits that the learned Family Court has failed to follow the guidelines issued by the Supreme Court in the matter of *Rajneesh v Neha* (2021) 2 SCC 324 in awarding the quantum of maintenance to the applicant. The learned Family Court has failed to appreciate that the applicant being a lady requires several essential items like clothing and food, therefore, the maintenance amount awarded in favour of the wife is not sufficient in view of the current economic situation and the maintenance amount deserves to be enhanced properly. He further submits that learned Family Court has rightly held that the wife is ready to live with the husband as the application under Section 9 of the Hindu Marriage Act filed by the wife has also been decided in her favor but the husband is neither eager nor ready to keep her. However, the learned Family Court has allowed an inadequate compensation, which deserves to be enhanced in favour of the wife. The learned Family Court failed to appreciate that the wife is a household lady and has no source of income of her own and is completely dependent on her father for her



necessary expenses, therefore she is entitled for maintenance to the tune of Rs. 30,000/-. Therefore, same be enhanced suitably.

4. Per contra, Mr. Suresh Tandan, learned counsel appearing for husband Sunil Singh Bhuwal, would submit that the learned Family Court failed to consider the evidence submitted by the husband and also failed to apply the provisions of law properly. He further submits that the learned Family Court erred in considering the earning capability of the wife as she is educated, empowered and capable to maintain herself. He further submits that the learned Family Court ought to have seen at present that after covid pandemic, the husband has lost his job and right now is unemployed. The finding of the learned Family Court that husband earns from agricultural land is against the material available as there is no agricultural land in the name of husband and the wife has not proved that the husband is having any share in his father's land. He further submits that the learned Family Court ought to have held that the wife has been residing separately without valid reason. Therefore, the maintenance amount deserves to be set-aside/reduced suitably.

5. I have heard learned counsel appearing for the parties and gone through the record with utmost circumspection.

6. From perusal of the impugned order, it transpires that an application was filed under Section 125 of Cr.P.C. by the wife before the learned Family Court concerned for grant of maintenance and after appreciating the evidence and documents available on record, the learned Family Court passed the order dated 27.05.2023, whereby it was directed the husband to pay Rs. 6000/- per month towards maintenance to wife and further ordered to bear Rs. 1000/- for expenses of the proceeding.



Being aggrieved by the said order, both parties preferred criminal revision petitions. The wife, Smt. Swati Bhuwal, filed Criminal Revision No. 888/2023, contending that the amount awarded is inadequate, unjust, and does not meet the rising cost of living; hence, it deserves to be enhanced suitably. On the other hand, the husband, Sunil Singh Bhuwal, filed Criminal Revision No. 628/2023, asserting that the amount awarded is excessive and beyond his financial capacity, and therefore, the same deserves to be reduced/set-aside.

7. Considering the submissions advanced by learned counsel for the parties, perusing the documents appended with revisions and finding recorded by learned Family Court while awarding the maintenance of Rs. 6000/- per month to the wife. I am of the considered view that the learned Family Court has not committed any illegality or irregularity in the impugned order warranting interference by this Court.

8. For the foregoing reasons, both the revisions deserve to and are accordingly **dismissed**.

9. The Registrar (Judicial) is directed to transmit the record of the present case to the concerned trial Court within a week from today for necessary compliance and followup action, if any.

Sd/-
(Ramesh Sinha)
Chief Justice