



2026:CGHC:23556

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRR No. 713 of 2026

Dr. Loknath Dahriya S/o Dujram Dahriya, Aged About 35 Years R/o Churela, Achanak Pali, P.S. Sarangarh, District- Sarangarh- Bilaigarh (C.G.)

... Petitioner

versus

1 - Smt. Priti Dahriya W/o Dr. Loknath Dahriya Aged About 30 Years R/o Village Dahida, P O Dahida, P.S. Kosir, District- Sarangarh- Bilaigarh (C.G.) At Present Village Lagra, P O Mopka P.S. Sarkanda, District- Bilaspur (C.G.)

2 - Ku. Purvi Dahriya D/o Dr. Loknath Dahriya Aged About 4 Years (Minor Through Natural Guardian Mother Smt. Priti Dahriya) R/o Village Dahida, P O Dahida, P.S. Kosir, District- Sarangarh- Bilaigarh (C.G.) At Present Village Lagra, P O Mopka P.S. Sarkanda, District- Bilaspur (C.G.)

3 - Ku. Manya Dahriya D/o Dr. Loknath Dahriya Aged About 3 Years (Minor Through Natural Guardian Mother Smt. Priti Dahriya) R/o Village Dahida, P O Dahida, P.S. Kosir, District- Sarangarh- Bilaigarh (C.G.) At Present Village Lagra, P O Mopka P.S. Sarkanda, District- Bilaspur (C.G.)

... Respondents

For Appellant	:	Mr. Parth Kumar Jha and Mr. Dharam, Advocates.
---------------	---	---

For Respondents	:	None
-----------------	---	------

Hon'ble Shri Bibhu Datta Guru, Judge

Order on Board

04.06.2026

1. The present revision petition has been filed under Section 19 (4) of Family Courts Act challenging order dated 13/05/2026 passed by the 2nd Additional Principal Judge, Family Court, Bilaspur in MJC Criminal No.1167/2024.
2. Facts of the case, in nutshell, are that the marriage took place between the petitioner and respondent No.1 on 16/05/2019 at Sarangarh. Out of the said wedlock, respondents No.2 and 3 were born. The respondent No.1/wife moved an application under Section 144 of the BNSS before the Family Court, Bilaspur seeking maintenance against the petitioner/husband alleging therein that after the marriage, the petitioner and his family members used to harass her in the name of dowry. She also alleged that the petitioner is having illicit relationship with his sister-in-law (Bhabhi), for which, respondent No.1 made a complaint against the petitioner before Police Station Sarangarh on 29/12/2022 and on the same day, the petitioner ousted the respondent No.1 and children i.e. respondents No.2 and 3 from the house. The respondent No.1/wife stated that since she has no source of income and the minor children are in her custody and the petitioner work as a Doctor and earning huge amount from his profession and also from his agricultural land, she claimed maintenance of Rs. 1,40,000/- (Rs. 1 lac for herself and

Rs.20,000/- each for her children).

3. In the said case, the petitioner/husband moved an objection on 15/10/2025 stating that since the marriage was solemnized at Sarangarh and after separation, the wife is residing with her parents at Sarangarh, the Court at Bilaspur has no jurisdiction to hear the matter. The petitioner/husband also stated that on the date of application filed by the wife, the children are studying at Sarangarh and only on the basis of rent agreement, the case has been filed at Bilaspur on 23/12/2024. He would submit that the wife filed the application only to harass the petitioner who is the physically disabled person and suffering from polio.
4. The respondent No.1/wife submitted her reply to the objection raised by the husband and stated that she has not submitted any forged documents before the Court and she also stated that her children are studying at Prayas Public School, Bilaspur and she is residing at Lagra, Bilaspur.
5. After considering all the aspects of the matter, the learned Family Court, Bilaspur rejected the objection filed by the petitioner by the order impugned dated 13/05/2026 and fixed the date for arguments on interim maintenance, hence, this petition.
6. Learned counsel for the petitioner/husband would submit that the respondent/wife filed the application for grant of maintenance before the Family Court on 23/12/2024. He would submit that the respondent/wife herself in her affidavit filed before the Family

Court, Bilaspur on 23/12/2024 categorically stated that she is residing in the house of her parents. He would submit that the learned Family Court, Bilaspur ought not to have entertain the application filed by the respondent No.1/wife seeking maintenance and the jurisdiction will lie before the Family Court at Sarangarh only.

7. I have heard learned counsel for the petitioner, perused the pleadings and documents.
8. In the case at hand, the respondent No.1/wife has disclosed her current address as Village Lagra, Post Mopka, Tehsil and District Bilaspur along with supporting documents and as such, she is entitled to file the application for grant of maintenance before the Family Court at Bilaspur and there is no legal prohibition or impediment to doing so. Merely because a permanent address has been mentioned elsewhere, the respondent No.1/wife cannot be prevented from filing an application before the Court at Bilaspur if she is residing within the jurisdiction of the said Court as a tenant.
9. Having considered the submissions advanced on behalf of the petitioner and upon perusal of the material available on record, this Court finds no infirmity or illegality in the impugned order dated 13/05/2026 passed by the learned Family Court, Bilaspur. The affidavit filed by respondent No.1/wife clearly discloses her present address as Village Lagra, Post Mopka, Tehsil and District

Bilaspur. The mere fact that her permanent address or parental home is situated at Sarangarh would not, by itself, oust the territorial jurisdiction of the Family Court, Bilaspur, particularly when the respondent has asserted that she is presently residing within the jurisdiction of the said Court. At this stage, the learned Family Court was justified in entertaining the application and rejecting the objection regarding territorial jurisdiction. No material has been placed before this Court to demonstrate that the finding recorded by the Family Court suffers from perversity or patent illegality warranting interference in exercise of supervisory jurisdiction.

10. Accordingly, the revision being devoid of merit deserves to be and is hereby **dismissed** at the motion stage itself.

Sd/-

(Bibhu Datta Guru)
Judge

Jyoti