



2026:CGHC:4233



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRR No. 1274 of 2023

Helan Singh Maravi S/o Late Shri Govind Singh Maravi Aged About 46 Years Caste- Gond, R/o Dozer Operator, Gevara Project, Post-Urjanagar, Ps- Dipka,, District : Korba, Chhattisgarh

... Applicant(s)

versus

1 - Usha Maravi W/o Helan Singh Maravi Aged About 38 Years Caste-Gond, R/o Dipka Colony, M.D. 172, Ps- Dipka,, District : Korba, Chhattisgarh

2 - Minor Jhasiketan Maravi S/o Helan Singh Maravi Aged About 13 Years Caste- Gond, R/o Dipka Colony, M.D. 172, Ps- Dipka,, District : Korba, Chhattisgarh

3 - Minor Yuktavibha Maravi D/o Helan Singh Maravi Aged About 16 Years Caste- Gond, R/o Dipka Colony, M.D. 172, Ps- Dipka,, District : Korba, Chhattisgarh

... Respondent(s)

For Applicant(s) : Ms. Upasana Mehta, Advocate.

For Respondent(s) : None.

**Hon'ble Shri Ramesh Sinha, Chief Justice****Order on Board****23/01/2026**

1. Heard Ms. Upasana Mehta, learned counsel for the applicant on I.A. No.01/2023, which is an application for condonation of delay of 7 days in filing the instant criminal revision.
2. For the reasons mentioned in the application I.A. No.01/2023 i.e. application for condonation of delay, the same is allowed and delay is condoned. The criminal revision is heard finally.
3. The applicant has filed this criminal revision against the order dated 28.07.2023 passed by learned Judge, Camp Court of Family Court, Katghora, District – Korba (C.G.) in Case No.108/2019, whereby, the learned Family Court partly allowed the application under Section 125 Cr.P.C. filed by the respondents and directed the applicant to pay Rs.10,000/- per month to respondent No.1, Rs.5,000/- per month to respondent No.2 and Rs.5,000/- per month to respondent No.3 towards maintenance.
4. Brief facts necessary for disposal of this revision are that the respondents filed an application under Section 125 of the Code of Criminal Procedure, 1973 seeking maintenance from the present applicant. It was asserted that respondent No.1 is the legally wedded wife of the applicant and respondents No.2 and 3 are their minor children. The marriage between the applicant and respondent No.1 was stated to have been solemnized in the year



2002. It was alleged by respondent No.1 that the applicant developed an illicit relationship with one Jemvati Maravi, due to which he started treating her with cruelty, neglected to maintain her and the children, and began living separately with another woman. It was further claimed that the applicant is employed as a dozer operator in the Gevra Project and earns approximately Rs.1,50,000/- per month, and on this basis maintenance of Rs.75,000/- per month was claimed. After service of notice, the applicant appeared before the learned Family Court, Camp Court Katghora, District Korba, and filed his reply denying all allegations. The applicant contended that he never deserted the respondents and that all of them were residing together in the SECL quarter allotted to him. He further stated that after the death of his father, his mother started residing with him, which was allegedly not acceptable to respondent No.1, leading to frequent quarrels and false allegations against him. Upon considering the pleadings and material on record, the learned court below passed an order directing the applicant to pay a total maintenance of Rs.20,000/- per month to the respondents. Aggrieved by the said order, the present revision petition has been filed.

5. Learned counsel for the applicant submits that the impugned order dated 28.07.2023 passed by the learned Presiding Officer, Family Court (Camp Court), Katghora, District Korba in Case No.108/2019 is illegal, perverse, contrary to law and facts, and has been passed without proper appreciation of the evidence on



record. The learned Trial Court failed to correctly adjudicate the means of the applicant and mechanically directed payment of maintenance, thereby imposing an unjust and excessive liability upon the applicant, contrary to the object of Section 125 Cr.P.C. She further submits that the learned trial Court failed to consider that the present non-applicant No.1 voluntarily deserted the matrimonial home and was unwilling to reside with the applicant along with his mother. The non-applicants continue to reside in the SECL quarter allotted to the applicant and were never asked to vacate the same. The applicant has been residing in his native village with his mother, and the non-applicants were never restrained from entering or residing in their matrimonial home, which clearly establishes that the applicant has not neglected or deserted them. She also submits that the learned trial Court further erred in accepting unsubstantiated allegations of illicit relationship and second marriage against the applicant, which were never proved by the non-applicant No.1. Additionally, despite clear admission by non-applicant No.3 that she is a major, the Trial Court wrongly directed payment of maintenance to her till marriage. The applicant has been bearing school fees and other necessities of the children, and therefore, the non-applicants are not entitled to separate maintenance, rendering the impugned order liable to be set aside.



6. I have heard learned counsel for the applicant, perused the impugned order and other documents appended with criminal revision.
7. From perusal of the impugned order, it transpires that the learned Family Court partly allowed the application under Section 125 Cr.P.C. filed by the respondents and directed the applicant to pay Rs.10,000/- per month to respondent No.1, Rs.5,000/- per month to respondent No.2 and Rs.5,000/- per month to respondent No.3 towards maintenance observing that the marriage between the parties and the relationship of the respondents with the applicant stood admitted, that respondent No.1 was residing separately for sufficient cause, and that she was unable to maintain herself and the children. The learned Family Court further held that the applicant, being a dozer operator in SECL and an able-bodied person, was capable of earning and was legally bound to maintain the respondents. On the basis of appreciation of oral and documentary evidence, including salary slips, the Court concluded that the applicant had sufficient means and accordingly fixed the total maintenance as aforementioned, which cannot be said to be on higher side.
8. Considering the submissions advanced by the learned counsel for the applicant 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 revision being devoid of merit is liable to be and
is hereby **dismissed**.

Sd/-

(Ramesh Sinha)
Chief Justice

Akhil