



2026:CGHC:3905



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRR No. 1310 of 2023

Ku. Varsa Sahu D/o Vinod Kumar Sahu Aged About 10 Years Appellant
No. 2 Minor Through The Legal Guardian Mother Smt. Jalwati Sahu,
R/o Village Dagauri, P.S. Bilha, District Bilaspur (C.G.)

... Applicant(s)

versus

Vinod Kumar Sahu S/o Late Chhotelal Sahu Aged About 35 Years R/o
Village Sambpuri, Post Sakri, P.S. Sakri, Tahsil Takhatpur, District
Bilaspur (C.G.)

... Respondent(s)

For Applicant(s) : Mr. Ashutosh Tiwari, Advocate

For Respondent(s) : None

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

22.01.2026

1. The applicant has filed this criminal revision against the order dated 04.09.2023 passed by the learned Additional Principal Judge Family Court Bilaspur (C.G.) in Criminal Case No.252/2018, whereby the learned Family Court has partly



allowed the application of the applicant and granted maintenance of Rs.2,200/- per month.

2. Brief facts necessary for disposal of this revision are that the father of the present applicant and the mother of the applicant were married on 18.04.2004 at Village Dagouri, Tahsil Bilha, District Bilaspur, in accordance with Hindu rituals and customs. From the said wedlock, the present applicant was born and, subsequently, another son namely Rishkesh was also born. It is the case of the applicant's mother that after the marriage, she lived peacefully with the non-applicant for about two months, whereafter the conduct of the non-applicant and his family members changed and they started harassing and taunting her on account of alleged insufficient dowry and poor quality of articles, subjecting her to physical assault under the influence of alcohol, verbal abuse and continuous mental and physical cruelty over trivial household issues, and despite intervention by her parents, there was no improvement in the behaviour of the non-applicant. Due to such harassment, applicant's mother was constrained to live separately along with present applicant and has no independent source of income to maintain herself and the child. Thereafter, the mother of the applicant thereafter filed an application under Section 125 of the Code of Criminal Procedure before the learned Family Court, Bilaspur, seeking maintenance. Upon due consideration, the learned Family Court, by order dated 04.09.2023, allowed the application and directed payment of



maintenance to the present applicant to the extent of Rs. 2,200/- per month, along with litigation expenses of Rs.500/-. Being aggrieved by the aforesaid order passed by the learned Family Court, the present revision has been preferred challenging the legality and propriety of the said order.

3. Learned counsel for the applicant submits that the impugned order passed by the learned Family Court is contrary to the principles laid down by the Hon'ble Apex Court and suffers from non-consideration of relevant and material aspects. It is submitted that the learned court below was not justified in holding that the maintenance amount of Rs. 2,200/- per month would be a fair and reasonable sum to meet the day-to-day needs of the applicant. The applicant is a 10-year-old girl child and has recurring expenses towards her school education, books, stationery, clothing and other allied necessities, which have not been properly appreciated or taken into account by the learned court below. It is further submitted that the meagre amount of Rs.2,200/- per month is wholly insufficient to enable the applicant to meet her daily requirements and maintain herself with dignity. The learned court below also failed to consider the standard of living ordinarily expected for a girl child at the place where the applicant resides while determining the quantum of maintenance, as the amount awarded does not adequately fulfill her basic needs. Furthermore, although the learned court below has taken into consideration that the mother of the applicant is earning Rs. 3,250/- per month as an



Anganwadi worker, it has failed to appreciate that such payment is not received regularly, resulting in frequent financial hardship and crisis due to scarcity of funds.

4. I have heard learned counsel for the applicant, perused the impugned order and other documents appended with criminal revision.
5. From perusal of the impugned order, it transpires that the learned Family Court has partly allowed the application of the applicant and granted maintenance of Rs.2,200/- per month observing that the respondent is a person having sufficient means, whereas wife is gainfully employed as an Anganwadi Assistant and is capable of maintaining herself. The Court held that the respondent had neglected his obligation towards the applicant (minor child), who is unable to maintain herself and is dependent upon the mother. It was further observed that although allegations of cruelty and dowry harassment were levelled by wife, the same were not supported by cogent documentary evidence, and the Court found that it was not proved that the wife was residing separately without sufficient cause. However, considering her independent source of income, the learned Family Court declined maintenance to wife. Taking into account the social status of the parties, earning capacity of the respondent and the needs of the minor child (applicant), the learned Family Court directed the respondent to pay maintenance as aforementioned, which cannot be said to be on lower side.



6. Considering the submission 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.
7. Accordingly, the revision being devoid of merit is liable to be and is hereby **dismissed**.

Sd/-

(Ramesh Sinha)
Chief Justice

Akhil