



2026:CGHC:3560



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRR No. 24 of 2026

Bhagwat Sahu S/o Ramprasad Sahu Aged About 37 Years R/o Village - Kapasda, Post - Uchbhatti, Tehsil - Sarangarh, P.S. Kosir, District - Raigarh (C.G.)

... **Applicant**

versus

Rishabh Sahu (Minor) S/o Bhagwat Sahu Aged About 7 Years Through Natural Guardian Mother Rajnigandha Sahu, D/o Ramratan Sahu, R/o Bhathagaon Chowk, Near Durga Mandir, Tehsil And District - Raipur (C.G.)

---- **Respondent**

For Applicant	:	Mr. Pragalbha Sharma, Advocate.
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Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

21.01.2026

1. Heard Mr. Pragalbha Sharma, learned counsel for the applicant.
2. This Criminal Revision is being aggrieved of the judgment dated 22.11.2025 passed by the learned Family Court, Raipur, District – Raipur (C.G.) in MCC No. 1280/2024, whereby the learned Family Court, partly allowed the application under Section 144 of the BNSS filed by the respondent, and ordered the applicant that he has to pay the allowance for maintenance at the rate of Rs. 4,000/- per month to the respondent.
3. The facts, in brief, is that marriage between the Petitioner and Rajnigandha Sahu (mother of the Respondent) was dissolved by a decree of divorce by mutual consent under Section 13-B of the Hindu



Marriage Act on 15.12.2022. At the time of the mutual divorce, both parties explicitly agreed that the mother, Rajnigandha Sahu, would have sole custody and would bear all expenses related to the upbringing and education of the child. The mother of the Respondent is gainfully employed as a Staff Nurse at the District Hospital, Kalibadi, stable monthly income of Raipur, earning a approximately 16,000/-. Despite the clear terms of the divorce decree, the Respondent, through his mother, filed an application under Section 144 of the BNSS seeking maintenance.

4. The applicant has filed the reply and denied the contention of the application filed by the respondents. The learned Family Court after recording the evidence of the parties passed the impugned order, whereby the learned Family Court partly allowed the application of the respondents and directed to the applicant to pay the amount of Rs. 4,000/- per month to the respondent. The impugned order passed by the learned Family Court is without any appreciation of facts, and material available on record only on the basis of arbitrary manner, thus, the impugned order is completely illegal. Hence, this revision.
5. Learned counsel appearing for the applicant submits that impugned order passed by the learned Family Court, is contrary to the facts and evidence available on record. It is further submitted that the divorce was granted on the specific condition that the wife would be solely responsible for the child's maintenance, and he current application is a violation of the terms accepted by the mother in the Section 13-B proceedings. Therefore, the impugned order is bad in law, perverse and erroneous, and the same it is liable to be set-aside/quashed.



6. I have heard learned counsel for the applicant, perused the pleadings and documents appended thereto.
7. Considering the submissions advanced by the learned counsel for the applicant, and from the perusal of the impugned order passed by the learned Family Court, it transpires that after hearing all the statements of the witnesses and perusing the evidence available on record, the learned Family Court has passed the impugned order, and there is no any illegality and infirmity while passing the same which requires interference by this Court.
8. Accordingly, the criminal revision being devoid of merit is liable to be and is hereby **dismissed**.
9. Let a certified copy of this order be transmitted to the concerned trial Court for necessary compliance and follow up action, if any.

Sd/-
(Ramesh Sinha)
Chief Justice

Rajshekhar