

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL REVISION APPLICATION NO. 220 of 2020**

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URVASHIBEN NAVINBHAI SHAH

Versus

STATE OF GUJARAT

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Appearance:

HCLS COMMITTEE(4998) for the Applicant(s) No. 1

TARUNA R MAKWANA(7255) for the Applicant(s) No. 1
for the Respondent(s) No. 2

Ms. Maithili Mehta, APP (2) for the Respondent(s) No. 1

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CORAM: **HONOURABLE MR.JUSTICE B.N. KARIA****Date : 17/02/2020****ORAL ORDER**

The applicant has challenged the impugned judgment and order dated 29th November, 2019 passed by learned Judge, Family Court No. 2, Ahmedabad in Criminal Misc. Application No. 1887 of 2017.

Heard learned advocate for the applicant.

Learned advocate for the applicant submits that learned Family Court has erroneously rejected the prayer for maintenance made by the present applicant observing that the applicant had capacity to earn and by serving, she was earning something . That, learned Family Court has erroneously relied upon the photographs of the applicant and audio cassette in form of recording of her talk with other office members wherein, she was serving but the same were not proved. That, the impugned order passed by the Family Court rejecting the prayer of the applicant is completely against the settled

principle of law.

Hence, issue requires consideration.

Rule returnable on 16.3.2020.

Ms. Maithili Mehta, learned APP waives service of notice of rule for and on behalf of the respondent -State.

BEENA SHAH

(B.N. KARIA, J)