

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL REVISION APPLICATION (FOR
MAINTENANCE) NO. 309 of 2022**

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JYOTIBEN PINKESH JAIN & ANR.
Versus
STATE OF GUJARAT & ANR.

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Appearance:

DR. KHUSHBU P VYAS(7040) for the Applicant(s) No. 1,2
MR DM SHAH(5989) for the Respondent(s) No. 2
MR NIRAJ SHARMA, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE R. T. VACHHANI

Date : 04/11/2025

ORAL ORDER

1. Heard learned advocates for both the parties. By way of filing the present application, the applicant has sought enhancement of the maintenance granted by the learned Judge, Family Court, Vadodara, wherein the application filed by the applicant came to be partly allowed and the respondent was directed to pay a sum of Rs.1,800/- to applicant No.1 and Rs.3,100/- to applicant No.2, aggregating to Rs.4,900/-.

2. Though the contentions regarding the dispute between the parties have been heard, including the efforts made by the respondent seeking the company of the applicant, which came to be declined by the applicant, and other related submissions which generally arise in matrimonial disputes, this Court does not find it necessary to re-examine those aspects while exercising revisional jurisdiction.

3. Reverting to the contention regarding the quantum of

maintenance, it appears that the learned Judge has duly considered the income, liability, and responsibilities of the respondent. It further transpires that the conduct of the applicant in renouncing the society of the respondent and failing to extend cooperation towards the discharge of conjugal obligations has also been taken into account.

4. The applicant has contended that the respondent is engaged in the wholesale business of selling bicycles and has suppressed this fact to evade his responsibility to maintain the applicants. However, upon perusal of the oral as well as documentary evidence and the findings recorded by the learned Judge, Family Court, this Court finds that such contention was rightly not accepted, as the same was not supported by any substantive material.

5. Considering all mitigating circumstances, the learned Judge appears to have reasonably fixed the maintenance at Rs.1,800/- for applicant No.1. However, as fairly submitted by the learned advocate for the respondent, a reasonable enhancement may be granted to the extent of Rs.700/-, thereby enhancing the amount to Rs.2,500/-.

6. The learned advocate for the applicant has also fairly endorsed such enhancement. No interference is warranted as regards the maintenance awarded to applicant No.2, which shall remain unaltered.

7. Accordingly, the present revision application deserves to be partly allowed. The maintenance amount awarded by the learned

Judge, Family Court, Vadodara to applicant No.1 is enhanced from Rs.1,800/- to Rs.2,500/- per month. The rest of the order shall remain unaltered.

8. In view of the aforesaid, the present revision application stands disposed of. It is made clear that the findings arrived at by this Court pertain solely to the present application, and any other litigation pending or to be filed shall be dealt with independently and in accordance with law.

(R. T. VACHHANI, J)

Kaushal Rathod

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: KAUSHAL MAHESHBHAI RATHOD(HCD0078), ENGLISH STENOGRAPHER GRADE TWO CLASS TWO, at High Court of Gujarat on 06/11/2025 13:53:31