



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMP No. 1732 of 2024

Sribatsa Hota & another* *Petitioners

Mr. B. Pujari, Advocate

-versus-

Bilash Chandra Hota* *Opp. Party

None

CORAM:

THE HON'BLE MR. JUSTICE CHITTARANJAN DASH

ORDER

20.08.2025

Order No.

- 04.
1. Heard learned counsel for the Petitioner.
 2. By means of this application, the Petitioners, who are the parents of the Opposite Party seeks to enhance the interim maintenance amount from ₹1,000/- to ₹10,000/-.
 3. The background facts of the case are that the Petitioners and the Opposite Party are the parents and son. The Petitioners are old and ailing persons and presently residing at their daughter's house due to ill-treatment and neglect of the Opposite Party and his wife. The Petitioner No.1 is an acute diabetic patient and he is also suffering from Neuro problems



and the Petitioner No.2 is suffering from diabetic, hypertension and heart diseases and she has under gone surgery of heart in a private nursing home. According to the Petitioners, they took all the pain and burden in educating the Opposite Party even to the extent of selling out their cultivable land, which the Opposite Party forcibly recorded in his name and is constructing a Pucca building over there. Having no other alternative, the Petitioners are staying with the daughter and for the ailment; they are spending money to the tune of ₹13,000/- towards medicines.

4. On the application being moved for maintenance, the Petitioner prayed for interim maintenance of ₹20,000/- per month. However, the learned court, though was aware that the Opposite Party-son is receiving a sum of ₹60,000/- towards his salary, being engaged in a steel company at Bhavnagar, Gujarat, directed the Opposite Party-son to pay only a sum of ₹1,000/- each.

5. Mr. Pujari, learned counsel appearing for the Petitioners, inter alia, submitted that the aforesaid amount of ₹1,000/- is absolutely inadequate, even to purchase medicines much less to say about their food and other expenditure and prayed that the amount of maintenance may be enhanced.



6. The notice issued on three occasions against the Opposite Party returned unserved with endorsement “Addressee left without instruction, returned to sender”.

7. In view the aforesaid position, it appears that the Opposite party is avoiding the receipt of notice of the Court. Keeping in view the above situation of the Petitioners and the gravity of the matter, where the ailing parents are before this Court and both of them are of considerable age i.e. more than 80 and 72 years respectively, it is expected that the son should take care of them by adequately paying maintenance, if at all for any reason he failed to keep the parents with him at least to meet their medical expenses besides basic amenities.

8. It is said that – perhaps there is no duty, the obligations of which are more generally acknowledged than filial piety; none which in the performance yields greater pleasure, nor which, if neglected brings a more severe or righteous retribution. All nations, however sunk in barbarism or elevated by science, have admitted the strength and justice of parental claims; and the unhappy youth who resists them, stands convicted, condemned and reprobated before the tribunal of the world. On the other hand, an eminently dutiful child is an object of delight, admiration and esteem, to all who have an opportunity of witnessing his conduct; he goes through society



surrounded by a glory purer than that of fame, and far more conducive to his own comfort; he is a blessing to his parents, and is blessed himself.

Considering the fact that the Opposite Party-son is receiving a sum of ₹60,000/-, this Court feels it appropriate to enhance the monthly maintenance of the Petitioners to the tune of ₹5,000/- each, which the Opposite party-son shall pay to the Petitioners, his parents, by the 5th of every month. In view of the above, the application is disposed of at the stage of admission.

9. It is submitted by the learned counsel for the Petitioners that the Opposite Party-son is engaged as a Manager in the Steel Company at Bhavnagar and the address thereof may be furnished by him for realisation of the maintenance amount by deduction from the salary. The learned trial court shall do well in accepting the aforesaid address and passing appropriate direction in this regard. The impugned order is hence modified as above. The CRLMP stands disposed of.

(Chittaranjan Dash)
Judge