



HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL REVISION No. - 3983 of 2025

Anil Kumar Awasthi

.....Revisionist(s)

Versus

State Of U.P. And 3 Others

.....Opposite
Party(s)

Counsel for Revisionist(s) : Akhilesh Kumar Khare
Counsel for Opposite Party(s) : G.A.

Court No. - 85

HON'BLE MADAN PAL SINGH, J.

1. Heard Sri Akhilesh Kumar Khare, learned counsel for the revisionist, and learned A.G.A. for the State.
2. Learned counsel for the revisionist submits that the revisionist is working as a Constable in the Fire Services Department and that, at page 2 of the impugned order dated 19.04.2025, it has been recorded that the net salary of the revisionist is Rs. 51,026/- per month. It is further submitted that the revisionist has no other regular source of income and has several liabilities to discharge. It is also contended that the amount awarded by the learned Trial Court is not commensurate with the income of the revisionist and is in violation of the law laid down by the Hon'ble Supreme Court in *Rajnesh v. Neha and Another, (2021) 2 SCC 324; Kalyan Dey Chowdhury v. Rita Dey Chowdhury Nee Nandy, AIR 2017 SC 2383; and Kulbhushan Kumar v. Raj Kumari, (1970) 3 SCC 129.*
3. The matter requires consideration.
4. As per the office report, notice could not be served upon opposite party no. 2, as the said party was not found at the address provided by learned counsel for the revisionist. Learned counsel for the revisionist is directed to provide the correct address within the next three days.
5. After the correct address is provided by learned counsel for the revisionist, fresh notice shall be issued to opposite party no. 2, returnable at an early date.
6. Steps shall be taken within a period of one week.
7. Learned counsel for the opposite party may file a counter affidavit within three weeks. Rejoinder affidavit, if any, may be filed within one week thereafter.
8. List this matter as fresh on 19.03.2026 among the top twenty cases.

9. Keeping in view the prayer made by learned counsel for the revisionist and the facts and circumstances of the case, the operation of the order dated 19.04.2025 passed by the learned Principal Judge, Family Court, Jhansi, in Case No. 359 of 2023 (*Smt. Poonam Awasthi and Others v. Anil Kumar Awasthi*), shall remain in abeyance, provided that the revisionist continues to pay a sum of Rs. 10,000/- per month to opposite party no. 2 and Rs. 5,000/- each to opposite party nos. 3 and 4 towards maintenance. In case of default by the revisionist, the interim protection granted shall automatically stand vacated.

(Madan Pal Singh,J.)

February 10, 2026

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