

(2014) 03 RAJ CK 0111

In the Rajasthan High Court

Case No : Criminal Revision Petition No. 215 of 2012

Jyoti Goswami

APPELLANT

Vs

Dinesh Puri

RESPONDENT

Date of Decision : 06-03-2014

Acts Referred:

Citation : (2014) 4 RLW 3250

Hon'ble Judges : Mahendra Kumar Maheshwari, J

Bench : Single Bench

Advocate : Dilip Singh Udawat, Advocate for the Appellant; Parmanand Mohnani, Advocate for the Respondent

Judgement

Mahendra Kumar Maheshwari, J.

1. Rajal @ Suman vs. State of Rajasthan & Anr., 2014 (1) Cr.L.R. (Raj.) 113

2. Noor Saba Khatoon Vs. Mohd. Quasim,

1. Amarendra Kumar Paul Vs. Maya Paul and Others,

2. D. Velusamy Vs. D. Patchaiammal,

125. Order for maintenance of wives, children and parents. (1) If any person leaving sufficient means neglects or refuses to maintain-

(a) his wife, unable to maintain herself, or

(b) his legitimate or illegitimate minor child, whether married or not, unable to maintain itself, or

(c) his legitimate or illegitimate child (not being a married daughter) who has attained majority, where such child is, by reason of any physical or mental abnormality or injury unable to maintain itself, or

(d) his father or mother, unable to maintain himself or herself, A Magistrate of the first class may, upon proof of such neglect or refusal, order such person to

make a monthly allowance for the maintenance of his wife or such child, father or mother, at such monthly rate 1 [***] as such magistrate thinks fit, and to pay the same to such person as the Magistrate may from time to time direct:

Provided that the Magistrate may order the father of a minor female child referred to in clause (b) to make such allowance, until she attains her majority, if the Magistrate is satisfied that the husband of such minor female child, if married, is not possessed of sufficient means.

2 [Provided further that the Magistrate may, during the pendency of the Proceeding regarding monthly allowance for the maintenance under this subsection, order such person to make a monthly allowance for the interim maintenance of his wife or such child, father or mother and the expenses of such proceeding which the Magistrate considers reasonable, and to pay the same to such person as the Magistrate may from time to time direct:

Provided also that an application for the monthly allowance for the interim maintenance and expenses for proceeding under the second proviso shall, as far as possible, be disposed of within sixty days from the date of the service of notice of the application to such person]