
(2008) 10 RAJ CK 0010
In the Rajasthan High Court

Vishnu Kumar

APPELLANT

Vs

Sona Devi

RESPONDENT

Date of Decision : 13-10-2008

Acts Referred:

Criminal Procedure Code, 1973 (CrPC) — Section 125

Citation : (2009) 3 RLW 2373

Hon'ble Judges : M.C. Sharma, J

Bench : Single Bench

Judgement

Mahesh Chandra Sharma, J.—By filing instant criminal revision the petitioner has challenged the order dated 5.7.2008 passed by Judge, Family Court, Kota (for short the court below") passed in misc. case No. 1002/2003, by which the application filed by the petitioner u/s 125 Cr.P.C. for setting aside the ex-parte order dated 4.9.2003 passed by the Court below was dismissed.

2. Brief facts of the case are that non-petitioner Sona Devi filed an application against the petitioner u/s 125 Cr.P.C. before the court below by which she sought maintenance amount to herself and her daughter Priyanka.

3. Mr. G.D. Porwal, counsel for the petitioner made a short request to the Court that the court below be directed to pass an order, after hearing petitioner, on imposition of the cost, which this Court may deem just and proper.

4. Mr. B.N. Sandhu, Public Prosecutor assisted by Mr. R.S. Sharma accepted the submissions of counsel appearing for the petitioner.

5. In view of above, the criminal revision filed by the petitioner stands disposed of with the direction to the petitioner to make payment of Rs. 10,000/- as a cost to the respondent. On submission of receipt of such amount by the respondent before the Judge, Family Court, Kota, it may hear the grievance of the petitioner and pass an appropriate order after hearing both the parties in accordance with law. Both the parties will appear before the Judge, Family Court, Kota on 4.11.2008. The Judge, Family Court, Kota is directed to decide the case of

respective parties till 24th Nov. 2008.