

Abdurahiman vs Muhasina

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Court : Kerala Orders

Decided On : Jan-30-2024

Judge : Honourable Mr. Justice P.Somarajan

Appeal No. : RPFC/247/2022

Appellant : Abdurahiman

Respondent : Muhasina

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE P.SOMARAJAN
TUESDAY, THE 30TH DAY OF JANUARY 2024 / 10TH MAGHA, 1945
AGAINST THE COMMON ORDER DATED 16.12.2021 IN
C.M.P.NO.1/2020 AND C.M.P.NO.2/2020 IN MC 41/2017 OF FAMILY
COURT, MALAPPURAM REVISION
PETITIONER/PETITIONER/RESPONDENT: ABDURAHIMAN, AGED 36
YEARS, S/O. HASSAN, NIRAVIL HOUSE, THACHINGANADAM,
NENMINI P.O., MALAPPURAM DISTRICT, PIN - 679325 BY ADV
K.RAKESH RESPONDENTS/RESPONDENTS/PETITIONERS:

1 MUHASINA, AGED 27 YEARS, D/O. MUHAMMED, CHOLAKKAL HOUSE, THACHINGANADU, NENMINI, MALAPPURAM DISTRICT, PIN - 679325 2 ASHBRAHIMAN, AGED 9 YEARS (MINOR), D/O. ABDURAHIMAN, REPRESENTED BY MOTHER, MUHASINA, AGED 30 YEARS, D/O. MUHAMMED, CHOLAKKAL HOUSE, THACHINGANADU, NENMINI, MALAPPURAM DISTRICT, PIN - 3 DHANISH, AGED 6 YEARS - MINOR, S/O. ABDURAHIMAN, REPRESENTED BY MOTHER - MUHASINA, D/O. MUHAMMED, CHOLAKKAL HOUSE, THACHINGANADU, NENMINI, MALAPPURAM DISTRICT, PIN - 679325

THIS REV.PETITION(FAMILY COURT) HAVING COME UP FOR ADMISSION ON 30.01.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER

The husband came up aggrieved by the order of maintenance granted by the Family Court at the rate of Rs.4,500/- to the wife, the first respondent, Rs.3000/- to the elder minor child, the 2 nd respondent and Rs.2,500/- to the younger minor child, the 3 rd respondent. The revision petitioner remained ex parte inspite of notice at the trial court. He was employed abroad at that time. What is seen ordered by the Family Court is a meagre amount of Rs. 4,500/-, 3000/- and 2,500/- respectively to the wife and two minor children. While taking into consideration the cost of living, the amount ordered by the Family Court seems to be quite insufficient to meet their requirements. As such, there is no reason to interfere with the

order of maintenance passed by the trial court. At the

fag end, the learned counsel for the petitioner fairly submitted that he lost his job abroad. Now he is jobless. In that contingency also what is seen ordered by the trial court is only bare minimum,

required for their maintenance. It is submitted by the learned counsel for the petitioner that they will clear out entire arrears within a period of three months. Necessarily, there should be a direction to the petitioner to deposit 1/3rd of the arrears within one month from today and rest of the amount within another one month from that day. Till that time, no coercive steps shall be taken against the petitioner. The present revision petition will stand dismissed accordingly.

Sd/- P.SOMARAJAN JUDGE msp

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