

IN THE COURT OF THE JUDICIAL MAGISTRATE OF THE FIRST CLASS

AIZAWL, MIZORAM

CRIMINAL COMPLAINT No. 189 of 2017 U/S 125 Cr.PC

Adeline Lalrintluangi Represented by C Lalramzauvi R/o Venghnuai, Aizawl	:	Complainant/Petitioner
Versus		
Shri Lalmuankima S/o Rothanga Ralte (L) Saikhamakawn, Aizawl	:	Respondent

PRESENT

H. LALDUHSANGA
Judicial Magistrate First Class, Aizawl

Counsel for Petitioner	:	Sh Vanlalfela, Advocate & ors.
Counsel for Respondent	:	Smt Lalramnghaki, Legal Aid Counsel

ORDER

Dt. 04.04.2018

1. This is a Criminal complaint No 189 of 2017 U/S 125 Cr. PC filed by Adeline Lalrintluangi represented by her mother C Lalramzauvi R/o Venghnuai, Aizawl, Aizawl District (*hereinafter called Petitioner*) against Shri Lalmuankima S/o Rothanga Ralte (L) R/o Saikhamakawn, Aizawl (*hereinafter called Respondent*) on 06.11.2017.
2. The Petitioner submitted *inter alia* that minor Adeline Lalrintluangi was born to the parties outside marriage on 25.05.2017. The said minor has been under the custody of the petitioner since then. The petitioner has been looking after the said minor with no regular source of income. The Respondent is having sufficient means to maintain them. He is working as Upper Division Clerk (UDC), Sub-Divisional Education Office, Aizawl South Zone and drawing monthly salary. Hence, prayed a monthly maintenance at the rate of Rs 5,000/- for the maintenance of the said minor.
3. Received written objection. Heard both the Counsels on 20.03.2018. Whilst strongly prayed for Rs 5,000/- per month by the Ld. Counsel for the Petitioner, the Ld. Counsel for the Respondent submitted inter alia the Respondent did not deny paternity of the minor and willing to pay monthly

maintenance as well. However, the respondent had been looking after the three children born to him and his previous wife and his disabled brother. They are simply staying on rented house and so making payment of monthly maintenance at the rate of Rs 5,000/- would be too heavy for him and so strongly prayed for Rs 1,500/-. Having heard the Ld. Counsel for the petitioner and the Respondent and perused all the documents and on considering the present status and condition of the parties, it is

ORDERED

- That Shri Lalmuankima S/o Rothanga Ralte (L) R/o Saikhamakawn, Aizawl as being a biological father shall make payment of monthly maintenance at the rate of Rs 2,800/- (Two Thousand and eight hundred) to Smt C Lalramzauvi R/o Venghnuai, Aizawl for the maintenance of minor Adeline Lalrintluangi until the minor attains the age of majority as per the Indian Majority Act, 1875 or further Order.
- That the Respondent shall start making payment as per stated in the above from the date of this Order.

With the above Order, this Criminal complaint stands disposed of.

**Given under my hand and seal of this Court on this day of the 4th
April, 2018 Anno Domini.**

(H. LALDUHSANGA)

Magistrate 1st Class,
Aizawl, Mizoram

Memo No.....: Dated Aizawl, the 4th April, 2018.

Copy to:-

1. Smt C Lalramzauvi R/o Venghnuai, Aizawl, Aizawl District through Counsel Shri K Remruatfela, Advocate.
2. Shri Lalmuankima S/o Rothanga Ralte (L) R/o Saikhamakawn, Aizawl through Counsel Smt Lalramnghaki, Legal Aid Counsel.
3. Cashier, Sub-Divisional Education Office, Aizawl South Zone, Tuikhuahtlang, Aizawl
4. i/c Judicial Section.
5. Case record.

PESHKAR