

IN THE COURT OF THE JUDICIAL MAGISTRATE OF THE FIRST CLASS

AIZAWL, MIZORAM

CRIMINAL COMPLAINT No. 116 of 2017 U/S 125 Cr.PC

Smt Rothangpuii Hmar : Complainant/Petitioner
D/o H Dokhuma
R/o Dinthar, Aizawl,
Aizawl District

Versus

Shri Ramdinsanga Pachuau : Respondent
LDC, DC Office
Mamit, Mamit District

PRESENT

H. LALDUHSANGA

Judicial Magistrate First Class, Aizawl

Counsel for Petitioner : Sh Zoramchhana, Legal Aid Counsel.

Counsel for Respondent :

ORDER

Dt. 05.02.2018

1. This is a Criminal complaint No 116 of 2017 U/S 125 Cr. PC filed by Smt Rothangpuii Hmar D/o H Dokhuma R/o Dinthar, Aizawl, Aizawl District (*hereinafter called Petitioner*) against Shri Ramdinsanga Pachuau LDC, DC Office, Mamit, Mamit District (*hereinafter called Respondent*) on 13.07.2017. Duly stamped, accepted and registered as Criminal complaint No. 116 of 2017 U/S 125 Cr.PC.
2. The Petitioner submitted *inter alia* that one Lalhruaihlui Pachuau was born to the parties on 08.02.2010 outside marriage. The said minor has been under the custody of the petitioner since birth. The petitioner has been looking after the minor with no regular source of income. As the minor has now started schooling and reading in Class III at Livingstone School, Dawrpui Vengthar, Aizawl, the instant petition is filed. The Respondent is a Government servant having sufficient means to maintain them. He is serving as a Lower Division Clerk (LDC) at the Office of Deputy Commissioner, Mamit, Mamit District and drawing Rs 27,079/- per month salary after making all

deductions. Hence, prayed a monthly maintenance at the rate of Rs 8,000/- from the Respondent for the maintenance of the said minor.

3. Whilst proceeding with the case, the Ld. Counsel for the Petitioner and the Respondent appeared in person before this Court on 25.01.2018 and submitted that they had arrived at compromise at the rate of Rs 3,000/- per month. Accordingly, it is

ORDERED

- That Shri Ramdinsanga Pachuau LDC, Office of the Deputy Commissioner, Mamit, Mamit District shall make payment of monthly maintenance at the rate of Rs 3,000/- (Three Thousand only) to Smt Rothangpuii Hmar D/o H Dokhuma R/o Dinthar, Aizawl, Aizawl District for the maintenance of minor Lalhruaihlui Pachuau 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 5th
February, 2018 Anno Domini.**

(H. LALDUHSANGA)

Magistrate 1st Class,
Aizawl, Mizoram

Memo No.....: Dated Aizawl, the 5th February, 2018.

Copy to:-

1. Smt. Rothangpuii Hmar D/o H Dokhuma R/o Dinthar, Aizawl, Aizawl District
through Counsel Shri Zoramchhana, Legal Aid Counsel.
2. Shri Ramdinsanga Pachuau LDC, Office of the Deputy Commissioner,
Mamit, Mamit District.
3. i/c Judicial Section.
4. Case record.

PESHKAR