



CGHC010509442025

2026:CGHC:41735-DB

NAFR

**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**MCC No. 1261 of 2025**

1 - [REDACTED]

... Applicant

**versus**

1 - [REDACTED]

... Respondent

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For Applicant : Mrs. Madhunisha Singh, Advocate.

For Respondent : Mr. Ujjawal Kumar Gauraha, Advocate

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**D.B. : Hon'ble Shri Justice Sanjay Kumar Jaiswal &  
Hon'ble Shri Justice Bibhu Datta Guru**

**Order On Board**

**Per Sanjay Kumar Jaiswal, J**  
**25/09/2026**

1. The applicant has filed this MCC seeking modification of order dated 06.12.2024 passed in FA(MAT) No.180/2023 to

the extent that the alimony amounting to Rs.5,00,000/- which has been granted to the respondent wife may be waived off.

2. Learned counsel for the applicant submits that the applicant is labour and is unable to make one time payment of permanent alimony of Rs.5,00,000/-, and request has been made for payment of the permanent alimony amount of Rs.5,00,000/- in installments, and the order dated 06.12.2024 may be suitably modified.
3. Learned counsel for respondent submits that the applicant out of the permanent alimony, has only made payment of Rs.8,000/-. Learned counsel further submits that the applicant has even not paying the monthly maintenance of Rs.5,000/- awarded in his favour, and that the said maintenance has remained unpaid for the last five years and six months.
4. We have heard learned counsel for the parties, gone through the order dated 06.12.2024 and perused the documents.
5. Having considered the submissions made by learned counsel for the parties and having carefully perused the order dated 06.12.2024 passed in FA(MAT) No.180/2023, as also the material available on record, we find no sufficient

ground to modify the said order.

6. The applicant seeks modification of the order primarily on the ground that, being a labourer, he is unable to make payment of the permanent alimony of Rs.5,00,000/- in one lump sum and. However, it is not in dispute that against the permanent alimony of Rs.5,00,000/-, the applicant has paid only a sum of Rs.8,000/- till date. Further, as submitted by learned counsel for the respondent, the monthly maintenance of Rs.5,000/- awarded in favour of the respondent has also remained unpaid for the last five years and six months. The very object of awarding permanent alimony is to secure financial support and stability to the spouse in whose favour such amount has been awarded. In the facts of the present case, when the substantial amount of permanent alimony has not been paid and even the monthly maintenance awarded in favour of the respondent has remained unpaid for a considerable period, the very purpose and object of the award of permanent alimony is being defeated.

7. In the aforesaid circumstances, we are not persuaded to exercise our discretion in favour of the applicant for modification of the order dated 06.12.2024. The financial difficulty pleaded by the applicant, in the absence of any substantial payment towards the amount already awarded

and in view of the prolonged non-payment of monthly maintenance, does not constitute a sufficient ground for modifying the order.

8. Accordingly, we find no merit in the present MCC. The application seeking modification of the order dated 06.12.2024 is, therefore, dismissed.

Sd/-

**(Sanjay Kumar Jaiswal)**  
**Judge**

Sd/-

**(Bibhu Datta Guru)**  
**Judge**