

(i) for the marginal heading, the following marginal heading shall be substituted, namely:—

“Order for maintenance of wives, children, parents and grand parents.”

(ii) In sub-section (1), —

(a) after clause (d), the following clause shall be inserted, namely: —

“(e) his grand father, grand mother unable to maintain himself or her self.”;

(b) In the existing para, for the words “a Magistrate of the first class may, upon proof of such neglect or refusal, order such person to make a monthly allowance for the maintenance of his wife or such child, father or mother at such monthly rate not exceeding three thousand rupees in the whole, as such Magistrate thinks fit, and to pay the same to such person as the Magistrate may from time to time direct”, the words “a Magistrate of the first class may upon proof of such neglect or refusal, order such person to make a monthly allowance for the maintenance of his wife or such child, father, mother, grand father, grand mother at such monthly rate, as such Magistrate thinks fit, and to pay the same to such person as the Magistrate may from time to time direct” shall be substituted;

(c) After the existing first proviso, the following proviso shall be inserted, namely:—

“Provided further that the relatives in clause (e) shall only be entitled to monthly allowance for maintenance if their sons daughters are not alive and they are unable to maintain themselves.”

[Vide Madhya Pradesh Act 15 of 2004, s. 3.]

West Bengal

In Sub-section (1) of section 125 of the Principal Act, —

(1) for the words “five hundred rupees”, the words “one thousand and five hundred rupees” shall be substituted;

(2) after the existing proviso, the following proviso shall be inserted:—

“Provided further that where in any proceeding under this section it appears to the Magistrate that the wife referred to in clause (a) or the minor child referred to in clause (b) or the child (not being a married daughter) referred to in clause (c) or the father or the mother referred to in clause (d) is in need of immediate relief for her or its or his support and the necessary expenses of the proceeding, the Magistrate may, on the application of the wife or the minor child or the child (not being a married daughter) or the father or the mother, as the case may be, order the person against whom the allowance for maintenance is claimed, to pay to the petitioner, pending the conclusion of the proceeding, the expenses of the proceeding, and monthly during the proceeding such allowance as, having regard to the income of such person, it may seem to the Magistrate to be reasonable.”.

[Vide West Bengal Act, 25 of 1992, s. 4.]

West Bengal

In sub-section (1) of section 125 of the principal Act, as amended by the Code of Criminal Procedure (West Bengal Amendment) Act, 1992, the words “not exceeding one thousand and five hundred rupees” the proviso shall be omitted.

[Vide West Bengal Act 33 of 2001, s. 3.]