

**Court No. - 34**

**Case :-** WRIT - A No. - 16171 of 2023

**Petitioner :-** Smt.Sudha Sharma And Another

**Respondent :-** Union Of India And 4 Others

**Counsel for Petitioner :-** Avadh Raj Sharma

**Counsel for Respondent :-** A.S.G.I.,Abrar Ahmad

**Hon'ble Ajit Kumar,J.**

Heard learned counsel for the parties.

By means of present writ petition filed under Article 226 of the Constitution, the petitioner has prayed for enhancement of maintenance amount, which has been directed to be paid to respondent no. 5 to the tune of Rs. 8,000/- per month decided in the application of the petitioner in compliance of the order of this Court dated 10.11.2022 passed in Writ A no. 12234 of 2022. The question is of the rights of the petitioners to get more maintenance from respondent no. 5. This in my considered view is a relief that falls in realm of claim petition for maintenance under the relevant law. The railways on their own if have directed for deduction of certain amount of maintenance for parents from the salary of the employee, any enhancement of that amount cannot be ordered by this Court in exercise of its power under Article 226 of the Constitution.

At this stage, learned counsel for the respondent Sri Abrar Ahmad submits that respondent no. 5 has stood transferred to Jabalpur which is in West Central Railways, and therefore, North Central Railway cannot be directed for further deduction in the matter.

Be that as it may, since petitioner claims enhancement by way of maintenance, she should approach for redressal of her grievance available under the law of Maintenance.

Subject to aforesaid liberty, the petition is consigned to records.

**Order Date :-** 12.10.2023

Sanjeev