

Court No. - 8

Case :- WRIT - A No. - 4852 of 2023

Petitioner :- Pramod Kumar Asi 12041115

Respondent :- Union Of India Thru. Under Secy. , Ministry Of Home Affairs
New Delhi And 2 Others

Counsel for Petitioner :- Alina Masoodi,Pawan Kumar Misra

Counsel for Respondent :- A.S.G.I.

Hon'ble Dinesh Kumar Singh,J.

1. Heard learned counsel appearing for the petitioner and Sri S.B. Pandey learned Deputy Solicitor General of India assisted by Sri Ashwini Kumar Singh, learned counsel appearing for the Union of India.

2. Present petition under Article 226 of the Constitution of India has been filed seeking following reliefs:-

"(i) Issue a writ, order, or direction in the nature of certiorari to quash/set aside the impugned order dated 15.06.2023 as contained in Annexure No.1 of this writ petition.

(ii) Issue a writ, order or direction in the nature of mandamus thereby commanding the opposite parties to refrain from imposing an interim maintenance allowance fixed at INR 12,000/- as the same is subjudice before the competent Court of Law i.e. before the Ld. Principal Judge, Family court, District Mathura and is outside the jurisdiction of the Opposite parties.

(iii)...

(iv)..."

3. The petitioner is employed as Assistant Sub Inspector (Communication) in the office of Sahastra Seema Bal, Lucknow. S.S.B., a para military force of the Union. The petitioner got married with Ms Priyanka on 12.06.2014. Wife of the petitioner preferred a representation on 01.07.2022 requesting for maintenance from the petitioner alleging matrimonial dispute between them and she is being forced to live separately from the petitioner.

4. Exercising the power under Section 61(1)(i) of the Sahastra Seema Bal Act, 2007, the prescribed authority has fixed Rs.12,000/- as maintenance to the wife of the petitioner for a period of 6 months from January to June, 2023. The petitioner is drawing more than Rs.60,000/- per month salary.

Meager amount of Rs.12,000/- given by the Prescribed Authority in exercise of Sahastra Seema Bal Act, 2007 is neither excessive nor arbitrary. I find no substance in the writ petition to interfere with the impugned order.

5. **Dismissed.**

(Dinesh Kumar Singh, J.)

Order Date :- 11.7.2023
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