

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Civil Revision No.1063 of 2013 (O&M)

Date of decision: 24.03.2015

II. Civil Revision No.1261 of 2013 (O&M)

Shamsher Singh

... Petitioner

versus

Santro

.... Respondent

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Jainainder Saini, Advocate,
for the petitioner.

Mr. Jasbir Singh Mor, Advocate,
for the respondent.

1. Whether reporters of local papers may be allowed to see the judgment ? No.
2. To be referred to the reporters or not ?No.
3. Whether the judgment should be reported in the digest ?No.

K.Kannan, J. (Oral)

1. The husband has given an affidavit in the manner directed by this court that he will not disturb the possession of the property released in favour of his son by his father. The property is admitted now by the wife to be in her possession and that of her son and for the last 2 years, they are able to realize the income from the land, for, in the previous years, the petitioner was causing disturbance to their enjoyment and was disturbing the crops raised by them.

2. In the light of undertaking given, to cast any further burden on the petitioner-husband to give maintenance amount would not be appropriate. The wife ought to feel satisfied about the property which has been secured by way of release from her father-in-law in the name of her son.

3. Since the wife has the benefit of living with the son and the son has been handed over the possession of the property of about 3 acres, the wife's needs ought to be taken as adequately taken care now and the order passed providing for ₹ 3,000/- as maintenance to the wife is ordered to be withdrawn. The husband's claim for maintenance against the wife is dismissed holding that no such provision is necessary since the husband is otherwise capable of earning and he is also stated to be making a living as a driver.

4. The orders already passed are modified and the civil revisions are disposed of as above.

(K.KANNAN)
JUDGE

24.03.2015
sanjeev