

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT
CHANDIGARH

C.R. No.2694 of 2015

Date of Decision.23.04.2015

Smt. Usha Gupta

.....Petitioner

Versus

Ashok Kumar Gupta

.....Respondent

Present: Mr. Namit Khurana, Advocate
for the petitioner.

CORAM:HON'BLE MR. JUSTICE K. KANNAN

1. Whether Reporters of local papers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest?

-.-

K. KANNAN J. (ORAL)

1. The petition is against the interim maintenance of ₹ 7,000/- granted to the wife as inadequate. The contention is that the husband is working in government insurance company and he is earning ₹ 49,000/- per month. He suffers compulsory deductions of over ₹ 15,000/- that includes ₹ 13,000/- as provident fund contribution when, according to the petitioner, he can reduce his provident fund contribution and make possible a higher contribution as maintenance to the wife. Provident fund is in some way a saving and contribution is also compulsory. I do not think that for a person who is earning ₹ 50,000/-, a contribution of ₹ 13,000/- towards provident fund is very high. If out of the net salary Court has provided for an amount little over 1/5th, I will not find this to be inadequate. The amount of ₹ 7,000/- ought to be taken as sufficient keeping in view the status and the income earning capacity of the husband. I will find no reason for interference.

2. The counsel for the petitioner says that they were married in the year 1985 and the petitioner herself is 52 years of age. He would want to make an attempt for mediation or conciliation through the good offices of the Court. The petitioner is at liberty to make such a request before the Court for reference of the Court for conciliation or mediation or any of the modes that Section 89 of the Civil Procedure Code provides. With or without such request, it is bound to initiate a dialogue for compromise in the light of express provisions of Order 32-A of the Civil Procedure Code.

3. The civil revision is disposed of making no intervention but with the observations for appropriate action for settlement.

(K. KANNAN)
JUDGE

April 23, 2015
Pankaj*