

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CR No.506 of 2015

Date of Decision:-30.01.2015

Pooja Joshi.

.....Petitioner.

Versus

Ashok Joshi & Ors.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Manoj Sharma, Advocate for
Mr. Ashish Aggarwal, Advocate for the Petitioner.

JASWANT SINGH, J.(ORAL)

Petitioner-wife is in revision before this Court assailing the order dated 23.01.2014 (P-5) passed by learned Additional District Judge, Amritsar whereby her application under Section 24 and 27 of the Hindu Marriage Act for grant of maintenance during the pendency of the petition was allowed and was granted maintenance to the tune of Rs.1,000/- for herself and Rs.1,000/- each for her two children.

Learned Counsel for the petitioner has argued that the learned Court below has not taken into consideration the fact that the petitioner is living in a rented accommodation and is also upbringing her children whose expenses are extremely high and thus, the order passed by the learned Court below is liable to be modified as the petitioner is specifically stated that the income of the respondent-husband is more than Rs.25,000/- per month.

After hearing learned Counsel for the petitioner and perusing the paper book this Court is of the considered view that the present petition is devoid of any merit and the same deserves to be dismissed.

A perusal of the record reveals that although the petitioner is alleged in her application that the respondent-husband is employed with SPCA society and doing working of finance and property dealing and thus is earning Rs.25,000/-. However, there is no evidence to support such a plea. The learned Court below has taken this fact into consideration and has rightly come to a conclusion that income of the respondent-husband has to be assessed as Rs.5,000/- per month due to insufficiency/non furnishing of any proof regarding the income of the respondent-husband.

In view of the above, finding no merit in the present revision petition, the same is hereby dismissed.

(JASWANT SINGH)
JUDGE

January 30, 2015
Vinay