

108

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

CR-6487-2015

Date of decision : 05.11.2015

BALDEV SINGH

...PETITIONER

VERSUS

MANJIT KAUR

..RESPONDENT

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Zorawar Singh Chauhan, Advocate
for the petitioner.

RITU BAHRI, J. (ORAL)

The petitioner has come up in Civil Revision for setting aside the order dated 07.08.2015 (Annexure P-1) passed by the learned Civil Judge (Senior Division), Jalandhar, whereby the application moved by the respondent has been allowed.

Counsel for the petitioner contends that in pursuant to the order dated 17.11.2012 (Annexure P-2) passed in the proceedings under Section 125 of the Criminal Procedure Code ('Cr.P.C.' for short), 1/3rd of the salary of the petitioner has since been attached which amounts to ₹ 11,000/- per month.

A perusal of the order dated 17.11.2012 (Annexure P-2) passed by the Sub Divisional Judicial Magistrate, Baba Bakala, District Amritsar, shows that the petitioner was directed to pay a sum of ₹ 5,000/- per month to the respondent-wife and ₹ 3,000/- per month to the minor child as ad interim maintenance, which amounts to ₹ 8,000/-.

However, the petitioner has filed the petition under Section 9 of the Hindu Marriage Act, 1955. While dismissing the petition vide order dated 07.08.2015 (Annexure P-1), ₹ 5,000/- per month has been awarded to Manjit Kaur respondent-wife as maintenance. By adding ₹ 8,000/- and ₹ 5,000/-, the amount becomes ₹ 13,000/-, since, attached 1/3rd salary of the petitioner is ₹ 11,000/-.

In view of the above, no reason for interference in the order dated 07.08.2015 (Annexure P-1) is made out.

The civil revision is dismissed.

05.11.2015
yogesh

(RITU BAHRI)
JUDGE