

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

C.R. No. 850 of 2015

Date of decision: 09.02.2015

Jagsir Singh

....Petitioner(s)

Versus

Kajal

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr. Anurag Chopra, Advocate,
for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

Challenge in the present revision petition filed by the husband is to the order dated 18.12.2014 (Annexure P-6) whereby, the District Judge, Sangrur has fixed the maintenance pendente lite as ₹4,000/- per month from the date of the application till final disposal of the main petition. A sum of ₹7,000/- as litigation expenses to the wife has also been directed to be paid.

Counsel for the petitioner has vehemently argued that the husband is physically handicapped and, therefore, he is not in a position to earn. The wife is a graduate and was employed and is thus in a position to maintain herself.

A perusal of the paper book would go on to show that the parties were married in the year 2010. As per Annexure P-5, the wife used to work with Trident Group, Barnala but thereafter to get the petitioner placed, left her job and worked as a house wife. Differences arose thereafter once they shifted to Ambala.

In such circumstances, it is apparent that the wife was earning earlier and is no longer working and has lost her job due to the matrimonial dispute. Rather, she left her job to get him placed. The disability certificate

is dated 24.04.2009 and it is also a case of Fracture Pelvis with Bladder injury. Much water has flown after that period and the handicap was only of 9% at that point of time. In such circumstances, it cannot be said that the petitioner is having such a disability that he cannot maintain himself or not work. It is alleged that he is having 16 bhigas of land and also cultivating another 5 acres, though no revenue record has been placed on the record but the fact remains that a sum of ₹4,000/- is a pittance keeping in view the high rate of inflation. The husband is under an obligation to maintain his wife and the amount awarded as such cannot be said to be excessive and is just enough for sustaining a person.

Accordingly, there is no scope for interference in the well reasoned order passed by the District Judge, Sangrur and the present revision petition is accordingly dismissed.

09.02.2015
shivani

(G.S. SANDHAWALIA)
JUDGE