

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

SANJIV KUMAR SHARMA
2015.01.17 14:01
I attest to the accuracy and
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CRM No. M-1434 of 2014 (O/M)
Date of decision : 15.1.2015

Ravi Kumar Mudahi

..... Petitioner

Versus

Sakshi Napa

..... Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Jangvir Singh Hooda, Advocate, for the petitioner.

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

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KULDIP SINGH, J. (ORAL)

The petitioner has challenged the order dated 16.10.2014 (Annexure-P-2), passed by the learned Sessions Judge, Yamuna Nagar, vide which in an application under Section 125 Cr.P.C., the interim maintenance granted to the wife at the rate of Rs. 2,000/- per month by the learned Judicial Magistrate 1st Class, Yamuna Nagar at Jagadhari, vide order dated 14.1.2014 (Annexure-P-1), was enhanced to Rs. 5,000/- per month.

Learned counsel for the petitioner contends that the learned Sessions Judge, Yamuna Nagar, erred in considering the earlier income of the petitioner. Infact, the petitioner was forced to resign from his previous job and now, he is doing the tuition work. He has also undertaken law studies. Therefore, his income is only Rs. 6,000/- per month.

I am of the view that the previous income of the petitioner is his capacity to earn. His contention that he is now earning Rs. 6,000/- per month from tuition work cannot be believed. There is no ground to interfere with the interim maintenance granted to the wife at the rate of Rs. 5,000/- per month by the learned Sessions Judge, Yamuna Nagar, vide order dated 16.10.2014 (Annexure-P-2).

Dismissed.

(KULDIP SINGH)
JUDGE

15.1.2015
sjks