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

**CRM-M-34248 of 2015 (O&M)
Date of decision: October 07, 2015**

Vishal Makkar

.....Petitioner

Versus

Shiva

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. K.K. Saini, Advocate
for the petitioner.

SABINA, J

Petitioner has filed this petition challenging the orders dated 05.06.2015 and 09.09.2015.

Learned counsel for the petitioner has submitted that initially, petitioner had submitted his affidavit that he was earning about ₹18,000/- per month but during the pendency of the litigation, petitioner had lost his job and was unable to pay the maintenance amount to the respondent.

In the present case, marriage between the petitioner and the respondent is not in dispute. It is also not in dispute that the parties are residing separately. Trial Court vide order dated 05.06.2015 directed the petitioner to pay ₹4,000/- per month by way of interim maintenance to the respondent. In this regard, reliance was placed on the affidavit of the petitioner dated 05.09.2014, wherein, he had stated that he was working with Jubilant Life Science Limited and drawing salary to the tune of ₹18,491/- per month. On

the basis of the said affidavit, the trial Court assessed the interim maintenance at the rate of ₹4,000/- per month, which was liable to be paid by the petitioner to the respondent. Vide the impugned order, the trial Court has merely assessed the interim maintenance. Impugned order was passed by the trial Court on the basis of evidence available on record. Petitioner would be at liberty to establish his case before the trial Court.

Hence, no ground for interference by this Court, is made out.

Dismissed.

**(SABINA)
JUDGE**

October 07, 2015
mahavir