

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CRR 2025 of 2013

Date of Decision: January 22, 2015

Shajesh Kumar

.....Petitioner

Vs.

Rarji Thampan

.....Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI.

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Present:- Mr.Vikas Chaudhary, Advocate
for the petitioner.

Mr. Amit Chaudhary, Advocate

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M.M.S. BEDI, J. (ORAL)

Vide order passed by Judicial Magistrate Ist Class, Faridabad, a sum of Rs.4000/-p.m. was ordered to be paid to the respondent and sum of Rs.3000/-p.m. was ordered to be paid to the child on September 10, 2011. In appeal the said order has been upheld.

There is a delay of 230 days in filing of the revision petition.

For the reasons mentioned in the application, the delay in filing of the revision is condoned. Application stands disposed of.

After hearing counsel for the petitioner and counsel for the respondent, I am satisfied that the respondent wife is not staying in the shared household. There is admittedly domestic relationship between the parties.

On account of prima facie domestic violence having been established, I do not find any reason to interfere in the order passed by the Courts below.

Counsel for the petitioner has vehemently contended that the maintenance granted under Section 125 Cr.P.C. has been concealed by the wife and she has been able to secure the order of maintenance under Section 20 of the Protection of Women from Domestic Violence Act.

After hearing counsel for the petitioner and counsel for the respondent and going through the provisions of Section 36 of the Protection of Women from Domestic Violence Act, I am of the opinion that the relief under the provisions of the aforesaid Act shall be in addition to, and not in derogation of the provisions of any other law, for the time being in force.

In view of the said provisions, I do not find any force in the contention of learned counsel for the petitioner.

Dismissed.

January 22, 2015
sanjay

(M.M.S.BEDI)
JUDGE