

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

CRR(F) No. 2 of 2014 (O&M)
Date of Decision: 22.01.2015

Atamjeet Singh

..... Petitioner

Versus

Prabhpreet Kaur and Another

.... Respondents

CORAM: HON'BLE MR. JUSTICE K.C. PURI.

Present: Ms. Gurpal Kaur Dulat, for the petitioner.

Mr. Sanjay Jain, Advocate for the respondents.

K.C. PURI, J. (ORAL)

Challenge in this petition is to the order dated 19.09.2012, passed by Ms. Neena Chaudhary, District Judge (Family Court), Ambala. Prabhpreet Kaur wife and Divasis Kaur, minor daughter of Atamjeet Singh filed a petition under Section 125 Cr.P.C. for grant of maintenance.

In the reply, the present petitioner has taken a stand that he is getting salary of ₹ 40,000/- (Forty Thousand only) per month from his employer Vinuculum Private Ltd. However, the respondent has filed an affidavit on record in which the salary of the petitioner was shown to be ₹ 94,714/- (Ninety Four Thousand Seven Hundred Fourteen only) for the month of May, 2012.

Learned trial Court after considering the documentary evidence, granted an amount of ₹ 10,000/- (Ten Thousand only) and ₹ 5,000/- (Five Thousand only), as interim maintenance for Prabhpreet Kaur wife of the petitioner and Divasis Kaur, minor daughter of the petitioner from the date of order.

The said order was challenged before this Court by Prabhpreet Kaur and the minor daughter vide CRR No. 3905 of 2012 decided on 27.11.2013.

The order of the trial Court was modified to the extent that maintenance shall be paid from the date of application. The petitioner was a party in that petition. Now, he wants to challenge that order on the ground that on 30.09.2012, his services have been terminated.

The petitioner could have agitate regarding amount of maintenance at the time of decision of CRR No. 3905 of 2012 decided by this Court on 27.11.2013. Otherwise also, regarding his grievance, he has filed an application under Section 127 Cr.P.C. before the trial Court.

The amount of Rs. 15,000/- getting salary of more than ₹ 94,000/- is not said to be on higher side, so, no ground for intereference in the present petition is made out.

Consequently, the present petition stands dismissed.

The petitioner may continue with the proceedings under Section 127 Cr.P.C. pending before the trial Court. The trial Court is directed to decide the said petition expeditiously, if already not decided.

However, all the arrears of maintenance shall be clear.

January 22, 2015
dk kamra

(K.C. PURI)
JUDGE