

**In the High Court of Punjab and Haryana at Chandigarh**

CRR No.679 of 2015  
Date of decision: 26.02.2015

Lakhwinder Singh

.....Petitioner

Versus

Ramanjeet Kaur and another

.....Respondents

**CORAM: HON'BLE MRS. JUSTICE SABINA**

Present: Mr.S.S.Nara, Advocate for the petitioner.

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**SABINA, J.**

Petitioner has filed this petition under Section 401 of the Code of Criminal Procedure, 1973 challenging order dated 29.1.2015 whereby interim maintenance was enhanced by the appellate Court from ₹3000/- per month to ₹9000/- per month.

I have heard the learned counsel for the petitioner and have gone through the record available on the file carefully.

Respondents have filed a complaint under Section 12 of the Protection of Women from Domestic Violence Act, 2005. Trial Court vide order dated 3.3.2014 (Annexure P1) allowed ₹3000/- per month by way of interim maintenance to the respondents. The said order was challenged by the respondents by way of appeal and the appellate Court vide impugned order dated 29.1.2015 enhanced the interim maintenance from ₹3000/- per month to ₹9000/- per month.

Appellate Court, after considering the salary statement produced on record, held that the average salary of the petitioner was ₹20,000/- per month. Petitioner pleaded that he had to pay ₹6000/- per month as rent and after making necessary deductions, his carry home salary was only ₹11942/-. However, no such salary slip was placed on record by the petitioner. Rent deed placed on record by the petitioner was dated 22.8.2014 i.e. after the order dated 7.8.2014 passed by the Appellate Court whereby interim maintenance was enhanced to ₹9000/- per month.

Since average monthly salary of the petitioner was ₹20,000/- per month and respondent No.1- wife of the petitioner had to maintain herself as well as minor child-respondent No.2, learned appellate Court had rightly ordered that the petitioner was liable to pay ₹9000/- per month by way of interim maintenance to the respondents as the amount allowed by the trial Court could not be said to be sufficient for the respondents for their maintenance.

Dismissed.

**(SABINA)  
JUDGE**

**February 26,2015**  
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