

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

**CRR (F) No. 180 of 2015 (O&M)
Date of Decision: 07.10.2015**

Fateh Singh

--Petitioner.

Vs.

Anupma Alias Annu and others

--Respondents.

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present : Mr. B.S.Walia, Advocate
for the petitioner.

RAMESHWAR SINGH MALIK J. (ORAL)

Present petition, at the hands of dissatisfied husband, is directed against the order dated 18.5.2015 passed by the learned Family Court, Hisar, whereby the respondent-wife and two children were granted an amount of ₹6,000/- per month for their maintenance.

Learned counsel for the petitioner submits that since the petitioner was not having a good source of income, learned Family Court has failed to appreciate this material aspect of the matter, while passing the impugned order, granting an amount of ₹6,000/- per month, as maintenance to the respondent wife and two children, which is on higher side. He prays for setting aside the impugned order, by allowing the present petition.

Having heard the learned counsel for the petitioner at considerable length, after careful perusal of the record of the case and giving thoughtful consideration to the arguments advanced, this Court is of the considered opinion that keeping in view the peculiar facts and circumstances of the case, present one has not been found to be a fit case warranting interference at the hands of this Court, while exercising its revisional jurisdiction. To say so, reasons are more than one, which are being recorded hereinafter.

First of all, granting of amount of ₹6,000/- per month as maintenance for sustenance of three persons cannot be said to be on higher side under any circumstance. Petitioner would not be paying the said amount of maintenance to any stranger but to his own children and wife. It is the moral as well as legal obligation on the husband to maintain his wife and children. To grant any lesser amount than ₹6,000/- per month, for maintenance of three persons in these days of sky rocketing priced would be nothing less than a mockery. Having said that, this Court feels no hesitation to conclude that learned Family Court committed no error of law, while passing the impugned order and the same deserves to be upheld, for this reason also.

Once the petitioner has failed to show any regular source of income of the respondent-wife, the learned Family Court was fully justified on facts as well as in law, while granting ₹6,000/-per month as maintenance, i.e. ₹3,000/- per month for wife and ₹15,00/- per month to each child.

During the course of arguments, learned counsel for the

petitioner could not point out any jurisdictional error or patent illegality in the impugned order passed by the learned Family Court, so as to enable this Court to interfere in the impugned order. In such a situation, no interference is warranted at the hands of this Court and the impugned order deserves to be upheld, for this reason as well.

No other argument was raised.

Considering the peculiar facts and circumstances of the case noted above, coupled with the reasons aforementioned, this Court is of the considered view that present revision petition is misconceived, bereft of merit and without any substance. Thus, it must fail. No case for interference has been made out.

Resultantly, with the abovesaid observations made, present criminal revision petition stands dismissed, however, with no order as to costs.

(RAMESHWAR SINGH MALIK)
JUDGE

07.10.2015
AK Sharma