

Civil Revision No.1712 of 2016(O&M)
Date of Decision: 16.3.2016

Krishan Kalyan @ Gulshan

---Petitioner

versus

Manju

---Respondent

Coram: Hon'ble Mrs. Justice Rekha Mittal

**Present: Mr. Raman Goklaney, Advocate
for the petitioner**

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporter or not?
3. Whether the judgment should be reported in the Digest?

Rekha Mittal, J.

The present petition lays challenge to order dated 28.1.2016 passed by the District Judge, Ferozepur, whereby the respondent has been allowed maintenance pendente lite while disposing of an application filed under Section 24 of the Hindu Marriage Act, 1955.

The respondent-wife has been awarded maintenance at the rate of Rs. 3000/- per month and Rs. 2000/- per month has been allowed to minor son of the parties by taking into consideration the wages of a skilled mechanic to the tune of Rs. 9000/- per month.

Counsel for the petitioner contends that as the petitioner is working at Rs. 5000/- per month with Sutlej Service Station and has also placed on record a certificate issued by Sutlej Automobiles, maintenance pendente lite awarded by the trial court is on higher side and requires

reduction.

The learned trial court has noticed that the salary certificate issued by a private employer is not sufficient to accept plea of the petitioner that he is getting salary of Rs. 5000/- per month, as the said certificate is not supported by entries in the books of account maintained by the employer. As the petitioner is a skilled man, may be a mechanic helper, the court below has rightly assessed his earnings to the tune of Rs. 9000/- per month. The maintenance awarded @ of Rs. 3000/- per month for the wife and Rs. 2000/- per month for the minor son may not be sufficient to meet their daily needs of food what to talk of clothing, housing, comforts much less luxuries. The petitioner being the husband has a legal, social and moral obligation to provide adequate maintenance for his wife and the minor child. Taking a cumulative view of the facts and circumstances, I do not find it to be a fit case wherein intervention in the order passed by the court below is warranted.

Dismissed.

(Rekha Mittal)
Judge

16.3.2016
PARAMJIT