

In the High Court of Punjab and Haryana, at Chandigarh

Civil Revision No. 285 of 2016

Date of Decision: 18.01.2016

Balwinder Singh

... Petitioner(s)

Versus

Gurdev Kaur and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Shekher Dhawan.

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

Present: Mr. H.R.Nohria, Advocate
for the petitioner.

Shekher Dhawan, J.

Present petition filed by Balwinder Singh for challenging the order dated 3.12.2015, whereby respondent No.1-wife was held entitled to get interim maintenance allowance at the rate of ₹ 3,000/- per month.

Learned counsel for the petitioner submitted that petitioner is not having any source of income so as to make payment of interim maintenance allowance and the Court below ignored the said fact and the present petition be accepted by setting aside the impugned order.

Having considered the submissions made by learned counsel for the petitioner, this Court is of the considered view and

taking into consideration the admitted fact that respondent No.1-Gurdev Kaur is legally wedded wife of present petitioner. Respondent-wife is living separately. Petitioner owns 2½ killas of land and that way it cannot be said for argument even that he is not having any income to make payment of interim maintenance allowance to his legally wedded wife. More so, it is the legal as well as moral obligation of the husband to earn and maintain his legally wedded wife. The amount of interim maintenance allowance ordered by the Court below cannot be considered to be higher by any standard because a sum of ₹ 3,000/- is not sufficient for survival of anybody. It cannot be said that interim maintenance is on higher side.

In view of above, present petition is without any merit and the same stands dismissed, in limine.

(Shekher Dhawan)
Judge

January 18, 2016

"DK"