

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT
CHANDIGARH

C.R. No.533 of 2016
Date of Decision.28.01.2016

Deepak Kher

.....Petitioner

Vs.

Anita

.....Respondent

Present: Mr. Veneet Sharma, Advocate
for the petitioner.

CORAM:HON'BLE MR. JUSTICE K. KANNAN

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

-.-

K. KANNAN J. (ORAL)

1. The revision petition is against the order of interim maintenance granted @₹15,000/- per month. The contention by the husband is that the Court has not taken note of the husband's actual earning and has also not taken note of the fact that the wife is herself earning. The counsel produced before me a copy of the salary certificate which shows that his gross salary in the year 2014 was ₹62459/- per month and after a deduction of ₹10,000/- for CPF and income tax which was ₹11,720/-, his net salary was ₹40,739/-. The amount of Rs.15,000/- granted @₹ 15,000/- cannot be taken to be high for an intervention.

2. Even his argument that the wife is working as Sales Woman cannot be taken to be any factor that ought to go for reduction, for such a fragile state of employment for a person to keep her heart and soul together ought not to be taken as mitigating factor for the husband to plead for lesser payment of amount as maintenance.

3. The counsel has yet another contention to make that there is already an assessment of ₹6,000/- as payable for maintenance under Section 125 Cr.P.C. I clarify that the order of granting maintenace @ ₹15,000/- must be taken as including ₹6,000/- which is already granted by the Judicial Magisgrate and therefore, amount of ₹15,000/- ought not to be taken as an addition of amount of ₹6,000/- already granted.

4. The counsel wants a notice to be issued from this Court in order that talks of compromise can be initiated. The plaintiff will do well to initiate such talks before the Court where the case is pending and not to indulge in such an exercise only here.

5. The revision petition is dismissed.

(K. KANNAN)
JUDGE

January 28, 2016
Pankaj*