

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

**CR No.7651 of 2015  
Decided on: 30.11.2016**

Paramjit Singh

....Petitioner

Versus

Avneet Kaur @ Parampreet Kaur and another

....Respondents

**CORAM: HON'BLE MRS JUSTICE REKHA MITTAL**

**Present :** Mr. Sarwan Singh, Sr. Advocate  
with Mr. N.S. Rapri, Advocate  
for the petitioner.

**REKHA MITTAL, J. (Oral)**

The present petition directs challenge against order dated 14.09.2015 (Annexure P4) passed by the Civil Judge (Jr. Division), Nakodar whereby interim maintenance @ Rs.5,000/- per month has been awarded to Avneet Kaur @ Parampreet Kaur, daughter of the petitioner.

Counsel for the petitioner has assailed the impugned order primarily on two grounds. The first submission made by counsel is that the petitioner has been depositing Rs.1,000/- per month in an account maintained in the name of the respondent and further paying premium qua an insurance policy that is likely to mature for payment in near future. Another submission made by counsel is that mother of the respondent is a Staff Nurse and her salary is almost equal to that of the petitioner but the mother has not been made a party in the suit for maintenance filed by the respondent/plaintiff.

I have heard counsel for the petitioner and perused the paperbook particularly the impugned order.

Be that as it may, it is an undisputed position of the case that the respondent/plaintiff is unmarried daughter of the petitioner. It appears that there is a marital discord between the petitioner and his wife and the respondent/plaintiff being the daughter born out of their wedlock is a victim of the circumstances. No doubt, the daughter can get maintenance from either of the parents or both of them. Counsel for the petitioner has not disputed that the petitioner is getting carry home salary to the tune of Rs.43,562/- per month after deductions. It is not clear on record if the deductions made out of the salary can be ignored for the purpose of assessment of maintenance payable to the respondent/plaintiff. The respondent/plaintiff is a student of a college and she has already attained the age of majority.

In view of prices of daily necessities of life and expenses on education of the child who has to face peer pressure in the college, I do not find any reason to interfere in assessment of maintenance @ Rs.5,000/- per month by the Court below merely on the ground that the petitioner is depositing Rs.1,000/- per month in her account or paying premium of insurance or mother of the child is also working.

For the foregoing reasons, the petition fails and is accordingly dismissed. Nothing stated in this order shall be construed as an expression of opinion on merits of the case.

**30.11.2016**

*yakub*

**(REKHA MITTAL)**  
**JUDGE**

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No