

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

-.-

CRM-M No.26385 of 2015
Date of Decision: 29.11.2016

Samita Jairath & Ors.

...Petitioners

Vs.

Vikas Jairath

..Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Ram Kumar Saini, Advocate, for the petitioners.

Ms. Ramandeep Kaur, Advocate, for
Mr. J.B.S Gill, Advocate, for the respondent.

Ritu Bahri, J. (Oral)

Petitioners have filed this petition under Section 482 Cr.P.C for modification of the order dated 09.04.2015 (P-3) whereby learned Additional Sessions Judge, Kapurthala has modified the order of learned lower court and granted maintenance of Rs.2500/- per month to wife and Rs.3250/- per month each to children, namely, Mayank and Rohan Jairth @ Sonu. However, while revising the maintenance of the petitioner, Rs.28,376/- was made basis of salary, as per salary certificate issued by P.S.E.B.

Learned counsel for the petitioners refers to the salary certificate dated 23.06.2015 (Annexure P/4) and states that total salary of the respondent is 38,229/- per months.

Salary certificate shows that respondent's in hand salary comes to Rs.28,376 after deductions of Rs.18,102/-. Petitioner was working in primary school earlier, but it has been held that the respondent is bound to maintain her.

Keeping in view the salary certificate, dated 23.06.2015 (Annexure P/4), order dated 09.04.2015 is set aside and maintenance is modified to extent of Rs.4000/- for each of the petitioner.

The petition is allowed, accordingly.

November 29, 2016
tripti

(RITU BAHRI)
JUDGE