

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

CRR No.3347 of 2014 (O&M)

Date of decision: 11.02.2016

Bhagwan Singh

.....Petitioner

versus

Rajinder Kaur

.....Respondent

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr.Achin Gupta, Advocate for the petitioner
Mr.Binderjit Singh, Advocate for the respondent

- 1. Whether Reporters of Local Newspapers 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?*

Kuldip Singh, J. (Oral)

Impugned in the present revision is the order dated 2.9.2014, passed by the learned Additional Sessions Judge, Bathinda, affirming the order dated 27.1.2012, passed by learned Civil Judge, Junior Division, Bathinda, vide which, in an application filed under Section 12 of the Protection of Women from Domestic Violence Act, 2005, Rs.3000/- p.m. as maintenance was awarded to the wife Rajinder Kaur-respondent.

I have heard learned counsel for the parties and have also carefully gone through the file.

Learned counsel for the petitioner has argued that the petitioner is about 60 years of age. It is stated that the petitioner has

already provided sufficient funds to the wife and also provided residential house, in which, she is living with her son. Therefore, maintenance of Rs.3000/- p.m. was wrongly awarded.

It comes out that the learned Magistrate has taken into consideration the fact admitted by the applicant that some amount deposited in the fixed deposit i.e. Rs.25000/- for insurance policy and Rs.90,000/- were withdrawn from the bank by the applicant-respondent herein which were given to her by the present petitioner. However, after considering the said facts, lower Court held that now a days, it does not seem to be sufficient. Hence, Rs.3000/- p.m. as maintenance was allowed.

Learned counsel for the petitioner further contends that the petitioner has no source of income. I am of the view that it has been specifically stated by the wife that the petitioner owns several properties. Findings of facts have been recorded by both the Courts below. Therefore, exercising the revisional powers this Court does not find any illegality, infirmity or perversity in the same. Rs.3000/- p.m. is otherwise is merely a subsistence allowance. No ground to interfere.

The revision petition stands dismissed.

11.02.2016
gk

(Kuldip Singh)
Judge