

**CRR-4464 of 2015
CRR-4340 of 2015**

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

**CRR-4464 of 2015
Date of Decision: 27.09.2016**

SujataPetitioner

Vs.

Sanjay Kumar Mehta and OthersRespondents

CRR-4340 of 2015

SujataPetitioner

Vs.

Sanjay Kumar Mehta and OthersRespondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Sanchit Punia, Advocate, for the petitioner.

Mr.Rose Gupta, Advocate, for the respondents.

RITU BAHRI, J. (ORAL)

Petitioner has filed this petition against the order dated 21.08.2015 passed by Additional Sessions Judge, Hisar, whereby, maintenance granted by the trial Court vide order dated 12.04.2013 has been reduced from Rs.7,000/- to Rs.3,500/-.

Learned counsel for the petitioner has referred to the jamabandi (Annexure P-3) and account statements (Annexure P-4) which were led in the form of evidence for assessing the interim maintenance to contend that respondent No.1 has sufficient fund to pay Rs.7,000/- per month to the petitioner. A perusal of the Annexure P-5 shows that petitioner has paid Rs.5500/- per month towards house rent which has not been taken

into consideration while reducing the maintenance amount by learned Additional Sessions Judge, Hisar. Learned counsel for the petitioner further submits that petitioner is getting salary of Rs.8500/- per month and she is only one who is taking care of minor child and further taking care of his day to day requirement including education facility and she is also paying house rent of Rs.5500/- vide receipt (Annexure P-5).

In view of the above, the order dated 21.08.2015 is set aside and the matter is remanded back to the Court of Additional Sessions Judge, Hisar, to pass a fresh order after considering the evidence again.

(RITU BAHRI)
JUDGE

27.09.2016
anil

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No