

In the High Court of Punjab and Haryana at Chandigarh

Criminal Revision(F)-140-2015

Date of Decision: 28.09.2016

Gurjit Singh

....Petitioner

Versus

Rajwinder Kaur and another

....Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Rajiv Joshi, Advocate
for the petitioner.

Mr. Sanjay Gupta, Advocate
for the respondents.

ANITA CHAUDHRY, J(ORAL)

The petitioner has assailed the order dated 15.5.2015 passed by the Family Court who allowed Rs. 3,000/- per month as interim maintenance to the wife and Rs. 2,000/- per month to the child.

The parties were referred for mediation and the petitioner was directed to deposit Rs. 20,000/-. The amount was deposited by the petitioner and was ordered to be released to the respondent.

The husband had claimed that he was a driver and was only earning Rs. 4,000/- per month. The wife had pleaded that the respondent was running a dairy farm and had milch cattle. Counsel for the respondent had informed that not a single penny had been paid after the order and the petitioner is not even appearing in the execution petition and he has gone abroad.

A perusal of the record shows that the father of the petitioner had disinherited him in April 2014. The plea taken before the Court was

that since he had been disinherited, therefore, he had no right in the father's business.

The trial Court considered the submissions and allowed Rs. 5,000/- in all to the wife and the child. The husband is able bodied. The husband had claimed that he was a tractor driver and was earning Rs. 4,000/- per month. The salaries of drivers are over Rs. 10,000/- per month. The petitioner has not paid any amount. He has left the country.

I am not inclined to interfere with the order passed by the Court below.

Petition is dismissed.

(ANITA CHAUDHRY)
JUDGE

September 28, 2016
Gurpreet

Whether speaking/reasoned : Yes
Whether reportable : No