

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRR(F)-214-2016

Date of Decision:- 12.07.2016

Manjeet

....Petitioner

Versus

Meenakshi and another

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

**Present: Mr. Deepak Girotra, Advocate
for the petitioner.**

RITU BAHRI, J. (Oral)

Present revision petition is against the order dated 06.05.2016 passed by the learned District Judge (Family Court) Rohtak whereby the petitioner has been directed to pay a sum of ₹3,500/- per month to Meenakshi-respondent No.1 (wife) and ₹2,500/- per month to Yashika -respondent No.2 (daughter) as interim maintenance.

The case set up by the respondent (wife) is that she was thrown out of the matrimonial home by the petitioner (husband) and she has no source of income. She has also no movable and immovable property in her name whereas the petitioner has movable and immovable properties in his name. He is working as an Architect at Gurgaon and his earning is ₹35,000/- per month. Thus, she is legally entitled to interim maintenance.

Learned counsel for the petitioner has argued that neither the petitioner employed as an architect nor he is earning ₹35,000/- per month.

The petitioner is not in a position to pay any maintenance amount as he is only working as a labor and his parents are also dependent upon him. So, the impugned order is liable to be set aside.

After hearing the learned counsel for the petitioner, going through the recod, this Court is of the considered view that the learned District Judge (Family Court) Rohtak, has rightly granted the interim maintenance of ₹3,500/- per month to respondent No.1 (wife) and ₹2,500/- per month to respondent No.2 (daughter), vide order dated 06.05.2016 and the same has been passed after appreciating the evidence in the correct prospective and does not require any interference. Such order, containing valid reasons, cannot possibly be interfered with by this Court, in exercise of limited revisional jurisdiction of this Court under Section 401 Cr.P.C., unless and until, the same is illegal, perverse and without jurisdiction. Since, no such patent illegality or legal infirmity has been pointed out by the learned counsel for the petitioner, so, the impugned order deserves to be and is hereby maintained in the obtaining circumstances of the case.

In the light of aforesaid reasons, as there is no merit, therefore, the instant revision petition is hereby dismissed as such.

July 12, 2016
naresh.k

(**RITU BAHRI**)
JUDGE