

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRR(F)-217-2016

Date of Decision:- 12.07.2016

Varinder Singh

....Petitioner

Versus

Meenu Trangal and another

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. S.K. Choudhary, Advocate, for the petitioner.

RITU BAHRI, J. (Oral)

Present revision petition is against the order dated 12.05.2016 passed by the learned District Judge (Family Court) Pathankot whereby the petitioner has been directed to pay a sum of ₹3,000/- per month (each) to the respondents as interim maintenance.

The case set up by the respondent (wife) is that the petitioner (husband) willfully neglected to maintain and provide maintenance to her and her minor daughter, namely, Akrity. She has no source of income. Whereas the petitioner is serving in a private company and drawing salary more than of ₹30,000/- per month. He has also movable and immovable properties. Thus, she is legally entitled to interim maintenance.

Learned counsel for the petitioner has argued that the net salary of the petitioner is ₹7787/- per month and he has no other income from any source. Further there was no evidence to show that the petitioner is earning

₹50,000/- per month. 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) Pathankot, has rightly granted the interim maintenance of ₹3,000/- per month (each) to the respondents, vide order dated 12.05.2016 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