

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

**CR No.2628 of 2016 (O&M)
Date of Decision : 20.09.2017**

KULDEEP SINGH

....PETITIONER

VERSUS

ANUPAM KAUR

....RESPONDENT

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. G.S. Kaura, Advocate for the petitioner.

Ms. Sonu Kumar, Advocate for
Mr. Amardeep Singh Mann, Advocate
for the respondent.

RAMESHWAR SINGH MALIK, JUDGE (ORAL)

Present revision petition under Article 227 of the Constitution of India, filed at the hands of husband, is directed against the order dated 15.02.2016, passed by the learned Family Court, whereby application under Section 24 of the Hindu Marriage Act moved by the respondent-wife was allowed, directing the petitioner-husband to pay an amount of Rs.12,000/- per month as maintenance *pendente lite*, during pendency of his divorce petition.

Notion of motion was issued.

Heard learned counsel for the parties.

A bare perusal of the impugned order shows that the petitioner is a big landlord. He is having 1/6th share in the land measuring 748 kanals 11 marlas. He has also got 611/14667 share in the land measuring 733 kanals 7 marlas. Further, he has also got 1/3rd share

in the land measuring 20 kanals 15 marlas. The land owned by the petitioner is fertile agricultural land from which he would be earning handsome income. Although, the respondent-wife is also serving, yet an amount of Rs.12,000/- per month for the respondent-wife and Rs.3,000/- per month for the minor child, total being Rs.15,000/- per month for two persons cannot be said to be on higher side under any circumstances. Having said that, this Court has no hesitation to conclude that the learned Family Court was well within its jurisdiction to pass the impugned order, the same deserves to be upheld.

In these days of sky rocketing prices, two persons cannot be expected to live with any amount less than Rs.15,000/- a month, as awarded by the learned Court below, particularly when the petitioner-husband is having good source of income from his abovesaid agricultural land. It is not even the pleaded or argued case of the petitioner that he is unable to pay the amount awarded to the respondent-wife by way of impugned order. It also goes without saying that the respondent-wife and her child are also entitled to enjoy and maintain similar status of social life as well as life style which is being enjoyed by the petitioner-husband. In this view of the matter, no fault can be found with the impugned order passed by the learned Family Court and the same deserves to be upheld, for this reason also.

During the course of hearing, learned counsel for the petitioner could not point out any patent illegality or perversity in the impugned order, which may warrant interference at the hands of this Court, while exercising its revisional jurisdiction under Article 227 of the

Constitution of India. In fact, the impugned order has been found duly supported by sound reasons and the same deserves to be upheld, for this reason also.

No other argument was raised.

Considering the peculiar facts and circumstances of the case noted above, coupled with the reasons aforementioned, this Court is of the considered view that present revision petition is misconceived, bereft of merit and without any substance. Thus, it must fail. No case for interference has been made out.

Resultantly, with the abovesaid observations made, instant revision petition stands dismissed, however, with no order as to costs.

(RAMESHWAR SINGH MALIK)
JUDGE

September 20, 2017
rajneesh

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