

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

131

CR-3574 of 2017

Date of Decision: 31.07.2017

Gurwinder Singh

.....Petitioner

Versus

Gurjit Kaur

.....Respondent

CORAM: HON'BLE MR.JUSTICE RAMESHWAR SINGH MALIK.

Present: Mr.Harchand Singh Batth, Advocate,
for the petitioner.

RAMESHWAR SINGH MALIK, J.(Oral)

Instant revision petition filed under Article 227 of the Constitution of India, at the hands of husband, is directed against the order dated 27.03.2017 passed by the learned matrimonial court, whereby respondent-wife was granted maintenance @ ₹8,000/- per month, allowing her application under Section 24 of the Hindu Marriage Act, during the pendency of divorce petition filed by the husband.

Heard learned counsel for the petitioner.

It has gone undisputed before this Court that the petitioner is serving in the Army and getting salary of about ₹40,000/- per month. The basic salary of the petitioner was ₹22,000/- which, after the implementation of report of 7th Pay Commission, would have been increased. Thus, granting of ₹8,000/- per month as maintenance to the respondent-wife cannot be said to be on higher side under any circumstances. Having said that, this Court feels no hesitation to conclude that the learned matrimonial court was well within its jurisdiction to pass the impugned order and the same deserves to

be upheld.

In these days of sky-rocketing prices, respondent-wife cannot be expected to maintain herself with any amount less than ₹8,000/- per month. This would be the bare minimum amount for her sustenance. It also goes without saying that this would be an interim arrangement during the pendency of the divorce petition. In this view of the matter, no fault can be found with the impugned order passed by the learned matrimonial 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 passed by the learned matrimonial court, which may warrant interference at the hands of this Court, while exercising its revisional jurisdiction under Article 227 of the Constitution of India. The impugned order has been found based on sound reasons and the same deserves to be upheld, for this reason as well.

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 the 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 above-said observations made, instant revision petition stands dismissed, however, with no order as to costs.

July 31, 2017
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(**RAMESHWAR SINGH MALIK**)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No