

CR No.5413 of 2017 (O&M)

**HIGH COURT FOR THE STATES OF PUNJAB & HARYANA
AT CHANDIGARH**

**CR No.5413 of 2017 (O&M)
Date of decision: 17.8.2017**

Jatinder Singh

...Petitioner

Versus

Lakhbir Kaur

...Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. Sandeep Arora, Advocate
for the petitioner.

RAMESHWAR SINGH MALIK, J. (Oral)

Feeling aggrieved against order dated 11.5.2017 (Annexure P-3) passed by the learned matrimonial court, whereby application of respondent-wife under Section 24 of the Hindu Marriage Act, 1955 ('the Act' for short), was allowed, granting her an amount of ₹50,000/- per month, husband-petitioner has approached this Court by way of present revision petition under Article 227 of the Constitution of India, for setting aside the impugned order.

Heard learned counsel for the petitioner.

It is not in dispute that respondent-wife, along with her minor

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daughter, is living in India whereas petitioner-husband is working in Spain. His monthly income in Indian currency is ₹1,75,000/-. Total monthly amount granted to the respondent-wife as well as for minor child as maintenance is ₹50,000/-, which cannot be said to be on higher side by any stretch of imagination. 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.

It is a matter of record that respondent-husband has filed the divorce petition. During pendency of the said divorce petition, respondent-wife filed the application under Section 24 of the Act, which was allowed by the learned matrimonial court by passing the impugned order. Once less than 1/3rd amount has been granted for sustenance of two persons, petitioner would suffer no prejudice by passing of the impugned order, because he would be having an amount of ₹1,25,000/- for his personal use. Under these undisputed facts and circumstances of the case, it can be safely concluded that the learned matrimonial court committed no error of law, while passing the impugned order 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.

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

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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.

17.8.2017
AK Sharma

(RAMESHWAR SINGH MALIK)
JUDGE

Whether Speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No