

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CR-5439-2017(O&M)

Date of Decision:17.08.2017

Ravi Dass @ Rohtash

.....Petitioner

Versus

Durgesh and others

.....Respondents

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

Present: Mr.Munish Gupta, Advocate,
for the petitioner.

RAMESHWAR SINGH MALIK, J.(Oral)

Feeling aggrieved against the order dated 17.05.2017 (Annexure P-6) passed by the learned family court, whereby application moved by the respondent-wife and children under Section 24 of the Hindu Marriage Act, was allowed granting ₹3,000/- per month to the wife and ₹2,500/- per month each to the children, petitioner-husband has approached this Court by way of instant revision petition, filed under Article 227 of the Constitution of India, for setting aside the impugned order.

Heard learned counsel for the petitioner.

A bare perusal of the impugned order would show that the learned family court has discussed each and every relevant aspect of the matter and appreciated the same in the right perspective before passing the impugned order. Both the children are staying with the respondent-wife.

Age of the children is 16 years and 12 years. ₹2,500/- per month to each

child of this age cannot be said to be on higher side by any stretch of imagination. Similarly, the respondent-wife cannot be expected to maintain herself for an amount less than ₹3,000/- per month. Having said that, this Court feels no hesitation to conclude that the learned family 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, three persons cannot be expected to maintain themselves with the amount less than ₹8,000/- per month. Further, the divorce-petition has been filed by the petitioner-husband and during the pendency of the said divorce-petition, respondent-wife and children were left with no other option except to move the application under Section 24 of the Act, which was rightly allowed by the learned court below by passing the impugned order. It is only an interim arrangement. The amount of maintenance awarded vide impugned order is just and reasonable. In this view of the matter, no fault can be found with the impugned order passed by the learned court below 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 court below, which may warrant interference at the hands of this Court, while exercising its revisional jurisdiction under Article 227 of the Constitution of India.

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.

August 17, 2017
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(RAMESHWAR SINGH MALIK)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No