

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CR No.7114 of 2017 (O&M)  
Date of decision: 12.10.2017

**Raj Kumar**

**... Petitioner**

**Vs.**

**Simmi and others**

**... Respondents**

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

Present: Mr. J.S. Guru, Advocate  
for the petitioner.

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**RAMESHWAR SINGH MALIK, J. (ORAL)**

Instant civil revision petition, under Article 227 of the Constitution of India, at the hands of husband, is directed against the order dated 07.07.2017 (Annexure P-5), whereby application under Section 24 read with Section 26 of the Hindu Marriage Act, moved on behalf of respondent No.1-wife and her children-respondents No.2 and 3 for grant of maintenance pendente lite and litigation expenses, was allowed.

Heard learned counsel for the petitioner.

It is a matter of record that petitioner is working as Sweeper in the Municipal Corporation. This seems to be the reason that since the petitioner was not earning handsome income, a paltry amount of Rs.1200/- per month was awarded as maintenance pendente lite to respondent No.1-wife and Rs.1000/- each to the children-respondents No.2 and 3. Nothing could have been imagined a lesser amount of maintenance than the one granted by the

learned Court below, while passing the impugned order. 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, no one can be expected to sustain himself/herself with an amount of less than Rs.1000/- per month. The amount of maintenance awarded by the learned Court below to the respondents is just the bare minimum amount and it cannot be said on higher side by any stretch of imagination. It goes without saying that the petitioner-husband is legally as well as morally bound to maintain his wife and children. It is not the undue financial burden on the petitioner. Under these circumstances of the case, it can be safely concluded that the learned Court below 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 passed by the learned Court below 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 since no illegality or perversity has been found in the impugned order, the same deserves to be upheld. The revision petition having

been found wholly misconceived, bereft of merit and without any substance, must fail. No ground 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**

12.10.2017  
*vishnu*

Whether speaking/reasoned Yes/No

Whether reportable Yes/No