

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Civil Revision No.8818 of 2016

Date of decision:- January 09, 2017

SAROJ

....PETITIONER..

VS.

RAM AVTAR

....RESPONDENT..

CORAM:- HON'BLE MR. JUSTICE JASPAL SINGH

Present:- Mr. Manish Kumar Singla, Advocate,
for the petitioner.

JASPAL SINGH, J. (Oral)

By virtue of instant petition preferred under Section 227 of the Constitution of India, the petitioner has sought setting aside of order dated February 19, 2016 passed by District Judge, Family Court, Hisar and for enhancement of maintenance allowance from ₹3000/- to ₹15,000/- per month as well as for staying the further proceedings of the Case No.758/HMA dated 26.08.2015 captioned as “*Ram Avtar vs. Smt. Saroj*” during the pendency of instant petition.

2. Undoubtedly, the petitioner has been granted a sum of ₹3000/- on account of maintenance allowance under Section 24 of the Hindu Marriage Act, 1955 (for short, “Act”) plus a sum of ₹3300/- as litigation expenses. Though, learned counsel for the petitioner has submitted that respondent-Ram Avtar has got joint landed property measuring 17 acres besides two plots yet there is no documentary proof brought on record by

the petitioner in this regard.

3. During the course of arguments, it has emerged that landed property, if any, is not in the name of the respondent, rather, the same is in the name of his father and some other persons.

4. A perusal of impugned order reveals that respondent-Ram Avtar is employed as a Clerk in a private institution and is getting approximately a sum of ₹8,200/- per month but to show that he is getting more than that while working in a private institution, no document in the shape of salary certificate or statement of account has seen the light of the day.

5. Keeping in the view the salary of the respondent to the tune of ₹8200/- per month, grant of a sum of ₹3000/- per month as maintenance allowance plus ₹3300/- as litigation expenses is fully justified. There is no illegality or impropriety in the impugned order dated February 19, 2016. As such, finding the instant petition being devoid of merit, is dismissed.

January 09, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned: Yes

Whether reportable: Yes/No