

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH**

**CRM-M-23846-2017**

**Date of decision: 10.07.2017**

Anju Bala

...Petitioner

Versus

Surender & others

...Respondents

**CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR**

Present: Mr. Aditya Pal Singla, Advocate,  
for the petitioner.

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**JAISHREE THAKUR, J.**

The instant petition has been filed seeking setting aside the order dated 10.04.2017 passed by learned Addl. Sessions Judge, Kaithal in a revision petition filed under Section 12 of the Protection of Women from Domestic Violence Act, 2005 (Hereinafter referred to as 'the D.V. Act'), reducing the interim maintenance awarded @ ₹ 3,000/- to ₹ 2,000/- per month.

Learned counsel for the petitioner contends that the petitioner had filed an application under Section 23 of the D.V. Act for grant of interim maintenance, which was allowed by learned Chief Judicial Magistrate, Kaithal to be ₹ 3,000/- per month by order dated 14.01.2016 and the same has been illegally reduced to ₹ 2,000/- per month by learned Addl. Sessions Judge, Kaithal in a revision petition, without appreciating the facts of the case.

I have heard learned counsel for the petitioner and have also perused the record of the case.

Learned Addl. Sessions Judge, Kaithal while taking note of the fact that the husband is bound to provide maintenance to his wife reduced

the interim maintenance amount from ₹ 3,000/- to ₹ 2,000/- per month, primarily on the ground that there was nothing on the record to show the earning of the petitioner, and took his income to be that of a casual labourer, that is not more than ₹ 8,000/- per month. It was noted that he was maintaining both his daughters who were residing with his sister and since he had to maintain himself and his two daughters the support of ₹ 3,000/- out of a sum of ₹ 8,000/- was on the higher side.

Learned counsel for the petitioner is not able to dispute this fact that the respondent is looking after his two daughters. Since there is nothing on the record at the present moment before this Court to conclude that the petitioner has a regular job and is earning more than ₹ 8,000/- per month.

In view of the above, no ground is made out to warrant interference by this Court, this petition is dismissed. Consequently, the order dated 10.04.2017 passed by learned Addl. Sessions Judge, Kaithal is hereby upheld.

**10.07.2017**

*Satyawan*

**(JAISHREE THAKUR)  
JUDGE**

Whether speaking/reasoned  
Whether reportable

Yes.  
No.