

In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M-9136 of 2016

Date of Decision: 28.03.2017

Neelu alias Isha and Another

... Petitioner(s)

Versus

Gagan Kathpal

... Respondent(s)

CORAM: Hon'ble Mr. Justice Dr. Shekher Dhawan.

Present: Mr. Inderjeet Singh, Advocate
for the petitioner(s).

Shekher Dhawan, J.

Learned counsel for the petitioners contended that learned Additional Sessions Judge, Fazilka enhanced the maintenance allowance to the tune of ₹ 6,500/- per month to petitioner No.1 and ₹ 3,500/- per month to petitioner No.2 as the respondent, infact, is running a textile mill and is earning more than ₹ 1,00,000/- per month. Learned counsel further contended that learned Additional Sessions Judge has not considered all these aspects while passing the impugned order and prayed that maintenance allowance of the petitioners be enhanced to ₹ 25,000/- per month.

Having considered the submissions made by learned counsel for the petitioners and the fact that learned Additional Sessions Judge, in the impugned order dated 5.2.2016, observed that income of the respondent is only ₹ 20,000/- per month. Though, the petitioners had taken a plea that respondent is running a textile mill and his income from all sources is not less than ₹ 60,000/- per month. But there is nothing by way of evidence

before the learned Additional Sessions Judge. More so, present petition is for enhancement of interim maintenance allowance only and at this stage, there is no ground to modify or set aside the impugned order dated 5.2.2016. Thus, present petition stands dismissed.

(Shekher Dhawan)
Judge

March 28, 2017
“DK”

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No