

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

CRR No. 3746 of 2017 (O&M)

Date of Decision: 11.10.2017.

Rajesh Kumar

... Petitioner

Versus

Usha Devi

... Respondent

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. Jitender Dhanda, Advocate,
for the petitioner.

JITENDRA CHAUHAN.J.(ORAL)

This revision is directed against (i) the order dated 09.06.2017 passed by Judicial Magistrate First Class, Hisar whereby application for interim maintenance filed by respondent/wife was allowed and a sum of Rs.2000/- was awarded as maintenance to the wife and; (ii) judgment dated 16.09.2017 passed by Additional Sessions Judge, Hisar vide which the appeal filed by the petitioner/husband was dismissed upholding the order dated 09.06.2017.

In brief the facts are that the respondent/wife had filed an application under Section 12 of the Protection of Women from Domestic Violence Act, 2005 against the petitioner/husband. Along with the main petition, an application for interim maintenance was also filed. It was pleaded that the marriage of the parties was solemnized on 10.05.2014. The husband has neglected the applicant and she is facing threat from her husband.

The husband has denied all the allegations. It is

pleaded that the husband is preparing for HCS and he has no source of income.

It is contended that the amount of maintenance fixed by the Courts below is on the higher side. The petitioner/husband is unemployed. He is not in a position to pay the amount.

Heard.

The petitioner is the husband. It is his moral as well as legal obligation to maintain his wife. An amount of Rs.2000/- per month i.e. Rs.67/- per day is hardly sufficient to keep body and soul together. Keeping in view the price index prevailing today, this Court finds that an amount of Rs.2000/- per month is absolutely not on the higher side. No ground for interference is made out.

Consequently, the petition is dismissed.

11.10.2017.
SN

(JITENDRA CHAUHAN)
JUDGE

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