

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

**CRR(F) No. 234 of 2017(O&M)**

**Date of decision :08.08.2017**

**Hira Lal**

**..... Petitioner**

**Versus**

**Smt. Poonam and another**

**.....Respondents**

**CORAM : HON'BLE MRS. JUSTICE LISA GILL**

Present: Mr.Vaibhav Jain, Advocate  
for the petitioners.

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**LISA GILL, J. (Oral)**

The petitioner is aggrieved of the order dated 11.02.2016 whereby the maintenance to the tune of ₹ 4000/- to respondent no.1-wife and ₹ 1000/- per month to respondent no.2 i.e. the minor child has been awarded by the learned District Judge (Family Court), Faridabad.

It is not in dispute that the petitioner and respondent no.1 were married on 31.05.2010 according to Hindu rites and ceremonies. The minor child i.e. respondent no.2 was born on 25.09.2011. As per the averments in the petition under Section 125 Cr.P.C, preferred by the respondents, they were deserted on 06.09.2011. The allegations of demand of dowry and ill-treatment being meted out at the hands of the petitioner and his family

members, have been raised. It is averred by the respondents that the present petitioner is a qualified electrician, earning more than ₹ 20,000/- per month. However, he refused to maintain his wife and minor child without any reasonable cause.

Reply on behalf of the petitioner was filed, but it is to be noted that when he did not clear the arrears of interim maintenance, his defence was struck off vide order dated 04.02.2016. The petitioner was proceeded against *ex parte* vide order dated 10.02.2016. The said orders were never challenged by the petitioner at any stage. The learned District Judge (Family Court), Faridabad on the basis of the evidence led by the respondent-wife assessed the petitioner's income to be ₹ 15,000/- per month while holding that the petitioner is skilled person and thereafter allowed the maintenance as detailed above. Litigation expenses to the tune of ₹ 11,000/- were also awarded.

In the factual matrix of the case, contentions of learned counsel for the petitioner that he is in-fact a daily wager and therefore, unable to pay the amount assessed, cannot be looked into. The petitioner deliberately chose not to associate with the proceedings before the learned trial Court. He admittedly did not pay the amount of interim maintenance of ₹ 2500/- per month fixed by the learned District Judge (Family Court), Faridabad. He was proceeded against *ex parte* on 10.02.2016. It is candidly stated by learned counsel that the petitioner has not paid any amount of maintenance till date.

Learned counsel for the petitioner is unable to point out any illegality or infirmity in the impugned order dated 11.02.2016 passed by the

learned District Judge (Family Court), Faridabad which calls for any interference by this Court in exercise of its revisional jurisdiction. Moreover, there is an unexplained delay of 385 days in filing the present criminal revision petition as well. No cogent reason is forthcoming for condonation of the delay in filing this revision petition

Consequently, this petition is dismissed being barred by limitation as well as on merits.

**08.08.2017**

s.khan

**(LISA GILL)  
JUDGE**

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No