

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

Date of decision-26.09.2017

1. CRR(F)-375-2017

Virender

...Petitioner

Vs.

Jyoti

...Respondent

2. CRR(F)-378-2017

Virender

...Petitioner

Vs.

**Punit (minor) son of Virender
through his mother**

...Respondent

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Rakesh Gupta, Advocate for
Mr. Arjun Atri, Advocate for the petitioner(s).

JITENDRA CHAUHAN, J. (Oral)

This judgment shall dispose of aforementioned two revision petitions filed for setting aside the impugned order dated 24.08.2017 passed by District Judge, (Family Court) Sonipat whereby the petitioner/husband had been directed to pay a sum of ₹7,000/-per month as interim maintenance to the respondent(s) (₹4000/- for respondent-wife and ₹3,000/- for minor child of the petitioner) in the proceedings under Section 125 of the Code of Criminal Procedure, 1973.

It is asserted that the petitioner is a private employee and does not have any movable and immovable property and thus is not in a position to pay a sum of ₹7,000/- per month to respondent(s). Otherwise also, parents of the petitioner are also dependent on him. It is claimed that

respondent/wife is well qualified woman and competent to earn by way of doing stitching work. The impugned order has been passed without considering this factual aspect of the matter.

I have heard learned counsel for the petitioner and have gone through the case file.

The parties solemnized marriage on 11.03.2015 as per Hindu rites and ceremonies. Out of the wedlock a male child was born on 05.12.2015. The respondent/wife was forced to leave the house of the petitioner when she was pregnant and she gave birth to her son at her parental home. Since then, respondent/wife along with her son has been residing at her parental home. The respondent /wife claims that the petitioner is serving in private company and has been earning ₹25,000/- per month.

In the circumstances, this Court feels that the amount of ₹7,000/- per month by no stretch of imagination can be said to be on higher side for maintenance of the wife and minor son especially in the present scenario of high rise in the cost of living.

In that view of the matter, the Court below rightly fixed the interim maintenance in favour of respondents. There is no illegality or perversity in the impugned order. Both the revisions petitions are accordingly dismissed.

September 26, 2017

vanita

**(JITENDRA CHAUHAN)
JUDGE**

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No