

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

CRR(F)-386-2017

Date of decision-03.11.2017

Anuradha Sharma and another

...Petitioners

Vs.

Deepak Sharma

...Respondent

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Deepam Raghava, Advocate for the petitioners.

JITENDRA CHAUHAN, J. (Oral)

The present revision petition has been filed for setting aside the order dated 09.08.2017 passed by the District Judge, (Family Court) Gurugram whereby in a petition under Section 125 of the Code of Criminal Procedure, the respondent/husband has been directed to pay a sum of Rs. 10,000/-per month as maintenance to the petitioner/wife from the date of filing of the main application i.e.19.11.2015 and Rs. 10,000/-per month to petitioner No.2 from the date of order.

It is contended that trial Court fell into error while granting meagre maintenance amount to the petitioners without appreciating the fact that the respondent is working as a Branch Manager in HDFC Bank at Panipat and is earning Rs.70,000/- per month, whereas the petitioner has no source of income. The awarded amount is inadequate to maintain the petitioners. Learned Family Court also erred in granting maintenance to petitioner No.2 from the date of order and not from the date of filing the petition.

I have heard learned counsel for the petitioners and have gone

through the case file.

As per the record, monthly income of the respondent is Rs.40,000/-. The petitioners have been granted Rs.10,000/- each out of the admitted income of Rs.40,000/- per month. Learned counsel for the petitioners has failed to convince this Court as to how the amount awarded by the Court below is inadequate. No fault can be found with the approach of learned Family Court in awarding maintenance to the minor son, aged 02 years, from the date of order. There is no illegality or perversity in the impugned order. The revision petition is accordingly dismissed.

03.11.2017

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**(JITENDRA CHAUHAN)
JUDGE**

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No