

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

CRR(F)-446-2017

Date of decision-03.11.2017

Paramjit Singh

...Petitioner

Vs.

Resham Kaur

...Respondent

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Ruhani Chadha, Advocate for the petitioner.

JITENDRA CHAUHAN, J. (Oral)

The present revision has been filed for setting aside the order dated 26.09.2017 passed by learned District Judge (Family Court) Shaheed Bhagat Singh Nagar, whereby in a petition under Section 125 of the Code of Criminal Procedure, the petitioner has been directed to pay a sum of Rs.2,000/--per month as interim maintenance to the respondent/mother.

Learned counsel contends that the petitioner is 65 years of age and is unable to work to earn his livelihood. His only source of income is the lease amount received from the land owned by his late father. Out of the total lease amount of Rs.97,500/- the petitioner has already been paying half of the amount to the respondent. Therefore, the impugned order dated 26.09.2017, being illegal and arbitrary, deserves to be set aside.

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

This is to be noticed that the respondent, aged 84 years, is none other than the mother of the petitioner. The petitioner has inherited the entire

land holding held by his father. As per the record he is receiving the lease amount of Rs.97500/- per month. The petitioner has inherited the entire estate of his father, the husband of the respondent. The respondent is a person of ripe age without any source of income as the entire estate has devolved upon the petitioner and it is a legal a moral duty of the petitioner to maintain the respondent.

In view of the above, the Court feels that the Court below has rightly fixed the maintenance in favour of the respondent/mother. There is illegality or perversity in the impugned order which may warrant interference by this Court.

The petition is accordingly dismissed.

03.11.2017

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**(JITENDRA CHAUHAN)
JUDGE**

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No