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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR(F)-477-2017

Date of decision: 30.11.2017

Chander Mohan Puri

... Petitioner

Versus

Smt. Shalini

... Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Munish Behl, Advocate,
for the petitioner.

Jitendra Chauhan, J. (Oral)

This is a petition filed against the order dated 31.10.2017, passed by the Additional Principal Judge, Family Court, Faridabad, whereby an application filed by respondent under Section 125 Cr. P.C. for maintenance has been allowed and a sum of ₹ 3500/- has been awarded in favour of respondent-wife.

Learned counsel for the petitioner submits that respondent-wife is working as a teacher in Bohra Public School and refers to Annexure P-3 in this regard. In support of his arguments, he further refers to judgment of this Court in **Suryasnata Das and another vs. Nishikant Dass, 2017 (2) RCR (Criminal) 92.**

There is no dispute about the proposition of law laid down in **Suryasnata Das's case (supra)** but the facts of the present case are distinguishable. In the reported case, wife had admitted that she had been earning ₹ 1,35,000/- whereas in the present case wife has pleaded that she is unable to maintain herself.

Therefore, it cannot be said that the amount of Rs. 3500/- per month is on the higher side especially in the presence scenario of high rise.

Petitioner is legally and morally bound to maintain his wife.

There is no specific evidence on record with regard to source of income of respondent-wife to maintain herself. Even a daily wager in the States at Haryana as per minimum wages schedule earns approximate by 300 per day.

In view of above, no case is made out to interfere in the order passed by learned Additional Principal Judge, Family court, Faridabad dated 31.10.2017.

Dismissed.

(JITENDRA CHAUHAN)
JUDGE

30.11.2017
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Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No