

In the High Court of Punjab and Haryana at Chandigarh

CRR(f)-54 of 2017(O&M)
Date of Decision: 9.2.2017

Satyawan

---Petitioner

versus

Smt. Sattyawati @ Satto and others

---Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

**Present: Mr. R.S.Budhwar, Advocate
for the petitioner**

Rekha Mittal, J.

The present petition directs challenge against order dated 31.5.2016 passed by the District Judge (Family Court), Sonipat whereby the respondents have been awarded maintenance of Rs. 4500/- in all at the rate of Rs. 1500/- per month for the wife and Rs. 1000/- per month to each of three children.

Counsel for the petitioner has submitted that the petitioner has been thrown out of his house by the respondent-wife and a daughter born out of the wedlock was married by the petitioner in the year 2015. It is further submitted that the petitioner is a labourer thus, does not possess sufficient means to pay an amount of Rs. 4500/- per month to the respondents.

I have heard counsel for the petitioner, perused the paper book particularly the order impugned.

Apart from the fact that the petition is filed after a delay of 119

days, I do not find any merit warranting intervention in the impugned order. Concededly, the petitioner failed to pay interim maintenance at the same rate allowed finally and as a consequence, his defence was struck off by the trial court. The petitioner could not adduce any evidence before the court below in order to substantiate his plea that the respondent-wife is a guilty spouse disentitling her to get maintenance.

Taking into consideration legal, moral and social obligation of the petitioner to maintain the respondent coupled with prices of daily necessities of life, maintenance granted by the Court below may not suffice to meet two square meals what to talk of providing comforts and luxuries. In this view of the matter, I do not find any error much less illegality in the impugned order.

Dismissed.

(Rekha Mittal)
Judge

9.2.2017

PARAMJIT

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No