

**CRR(f)- 83 of 2017**

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**In the High Court of Punjab and Haryana at Chandigarh**

**CRR(f)- 83 of 2017(O&M)**

**Date of Decision: 2.3.2017**

**Raghuvinder Verma**

**---Petitioner**

**versus**

**Poonam Saini and another**

**---Respondents**

**Coram: Hon'ble Mrs. Justice Rekha Mittal**

**Present: Mr. Parminder Singh, Advocate  
for the petitioner**

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**Rekha Mittal, J.**

The present petition directs challenge against order dated 9.11.2016 passed by the District Judge (Family Court), Gurgaon whereby Radhya @ Pari, minor daughter of the parties, has been allowed maintenance at the rate of Rs. 15,000/- per month.

Counsel for the petitioner has submitted that a joint petition was filed by Poonam Saini (wife) and the minor child through her mother claiming maintenance. Plea of respondent No. 1 Poonam Saini for grant of maintenance has been declined as she is gainfully employed in regular service and drawing a salary of approximately Rs. 45,000/- per month. It is vehemently argued that since it is an obligation of both the parents to maintain the child, maintenance assessed by the Court at the rate of Rs. 15000/- per month is on higher side and liable to be reduced. In addition, it is submitted that the petitioner has liability to pay loan in instalments at the rate of Rs. 37000/- per month.

I have heard counsel for the petitioner, perused the paper book

particularly the order impugned.

The trial court in paras 7 and 8 of the order impugned has discussed in detail the sources of income of mother and father of the child as well as expenses of quarterly fee of the child. Mother is stated to be working on a regular job drawing a salary of Rs. 44,697/- per month, reflected in Ex. R2. On the contrary, the petitioner-father is stated to be earning Rs. 1.25 lakhs per month as deposited by PW2 one of the representatives of Indus Towers Limited Gurgaon where the petitioner was working as Custom Manager (Operations) and his salary slips Ex. P-5 to P-7 were brought on record showing net payment of Rs. 92,488/-. Any payment made by the petitioner towards loan cannot be taken care of for the purpose of assessment of maintenance to the minor child. As per fee receipts brought on record, quarterly fee of the child is more than Rs. 37,000/- . Taking into consideration salary of the mother and that of the father and expenses of the child on education itself, I find myself unable to accept submissions made by counsel that maintenance assessed by the Court below is on higher side. The amount of maintenance allowed by the Family Court may merely suffice expenses on education of the child whereas the other expenses with regard to food, clothing, medicines, entertainment etc. would certainly be incurred by the mother.

For the foregoing reasons, finding no merit, the petition fails and is accordingly dismissed in limine.

**(Rekha Mittal)**  
**Judge**

**2.3.2017**

PARAMJIT

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No