

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

C.R. No.1917 of 2018
Date of Decision: 04.04.2018

Jagbir Dass

....Petitioner

Versus

Manpreet Kaur

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. Yashpal Marken, Advocate,
for the petitioner.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Article 227 of the Constitution of India, prayer has been made for modification of order dated 08.01.2018 of the trial Court, whereby the petitioner-husband has been directed to pay ₹3,500/- per month to the respondent-wife as an interim maintenance, besides ₹10,000/- as litigation expenses, upon application of the respondent-wife under Section 24 of the Hindu Marriage Act.

Learned counsel for the petitioner *inter alia* contends that the impugned order is illegal in view of the fact that the petitioner is only earning ₹6,000/- per month and having liability of his parents upon him, besides, some expenses towards his personal take care. The respondent-wife is a graduate, whereas the petitioner is only 10+2. That apart, the father of the respondent-wife is having land. Therefore, she can be maintained by him.

In nutshell, according to the petitioner, he solemnized love marriage with the respondent against the wishes of their respective parents and family members. Thereafter, they approached this Court also for protection of their life and liberty. According to the petitioner, after consummation of marriage, the

respondent-wife went to her parental home and thereafter, she did not return.

Considering overall facts and circumstances, the instant petition is completely devoid of any merit for the reason that the marriage between the petitioner and the respondent and its consummation is not disputed. Therefore, the obligation and moral responsibility is of the petitioner-husband to maintain his wife-respondent. The amount of maintenance awarded by the Trial Court is not on the higher side, rather considering the daily basic needs and high escalation in prices of the essential commodities, the same is on the lower side.

In view of above, the impugned order does not warrant any interference.

Dismissed.

04.04.2018
monika

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No