

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

**CR No.2117 of 2018 (O&M)
Date of Decision: April 19, 2018**

Mohit Bathla

...Petitioner

Versus

Smt Deepika

...Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Nipun Vashist, Advocate
for the petitioner.

FATEH DEEP SINGH, J.

Through this civil revision petition husband-petitioner Mohit Bathla has sought setting aside of orders dated 15.01.2018 passed in application under Section 24 of the Hindu Marriage Act, 1955 by the Court of learned Additional District Judge, Rewari.

Heard learned counsel for the petitioner and perused the records of the case. The stand of the wife that she has no source of income and that petitioner is owner of Footwear shops in Saharanpur, having business of import has sought to be proved through income tax returns. Even in another proceedings under the Protection of Women from Domestic Violence Act, 2005 the wife has been allowed maintenance for sum of Rs.20,000/- per month and the wife as is reflected from the impugned order has placed on record copies of sale deeds to show earnings of the husband and consequently his purchase power and economic status. The contentions that have sought to be raised by learned counsel for the petitioner side at

this juncture that the wife has intentionally concealed the materially fact regarding her obligation and earnings by placing reliance on 2013(36)RCR (Civil)572 Smt Geeta @ son Dai and another vs. Bhupinder Singh Choudhary; 2012(42) RCR (Civil) 249 Gursimrat Pal Kaur vs. Asha Nand; 2016(4) RCR (Criminal) 804 Monu Songra vs. Pinki and 1992(3) LJR 270 Brijinder Bir Singh vs. Mst. Vinod @ Parminder. To the very specific query of this Court, neither learned counsel for the petitioner could show any such stance having been taken by the husband much less by any prima facie evidence to that effect. Povisions of Section 24 of the Hindu Marriage Act are welfare in nature to prevent destituteness and to ensure that the wife is able to survive commensurate with the status of her husband. Keeping in view that Court has taken cognizance of the documents on record and stand of the parties holding that the husband was earning hand, capable to maintain even wife who is not earning. Moreover, now a days maintenance of Rs.20,000/- per month cannot termed to be on higher side keeping in view the ever rising trends of essential items for day to day living. Learned counsel for the petitioner could not convince how there has been any illegality in the impugned order necessitating intervention by this Court. Thus, finding no merit the present petition stands dismissed in limine.

(FATEH DEEP SINGH)
JUDGE

April 19, 2018
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No