

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

**Civil Revision No.3022 of 2018
Date of decision: May 07, 2018**

Sagar Gupta

...Petitioner

Versus

Komal Mangla

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Sanjay Verma, Advocate
for the petitioner.

INDERJIT SINGH, J.

Petitioner Sagar Gupta has filed this revision petition against respondent Komal Mangla under Article 227 of the Constitution of India for setting aside the order dated 03.04.2018 passed by learned Addl. Principal Judge, Family Court, Gurugram, vide which the application filed by respondent under Section 24 of the Hindu Marriage Act seeking maintenance in petition under Section 13(1) (ia) of the Hindu Marriage Act, was allowed and respondent was held entitled to the maintenance of ₹15,000/- per month w.e.f the date of filing the application.

I have heard learned counsel for the petitioner and have gone through the record.

From the record, I find that petitioner Sagar Gupta filed a petition for dissolution of marriage by a decree of divorce under Section 13

(1) (ia) of the Hindu Marriage Act against Komal Mangla. During the pendency of the petition, an application under Section 24 of the Hindu Marriage Act has been filed by the respondent and learned Addl. Principal Judge, Family Court, Gurugram, vide impugned order dated 03.04.2018, affixed the maintenance @ ₹15,000/- per month w.e.f. date of filing of application. Aggrieved from this order, present revision petition has been filed.

The perusal of the record shows that marriage between the parties is admitted fact. The perusal of the reply filed by present petitioner shows that he has nowhere alleged that respondent Komal Mangla has any source of income to maintain herself. The present petitioner, also in the reply, has nowhere disclosed his income. He simply stated that he is not doing any business and is dependent upon his parents.

Learned lower Court after discussing all these facts held that even if it is taken that petitioner Sagar Gupta is not earning ₹2,30,000/- per month as stated by respondent Komal Mangla, even then, his income cannot be treated as less than ₹50,000/- per month.

Keeping in view the above facts and circumstances, I find that no illegality has been committed by learned Principal Judge, Family Court, Gurugram, while passing the impugned order granting maintenance under Section 24 of the Hindu Marriage Act. The averments of the present petitioner that he is not earning anything, cannot be believed. He is supposed to tell his income as he is knowing this fact but he is concealing his income intentionally.

In view of the above discussion, I find that the impugned order

Gurugram, is correct, as per law and does not require any interference from this Court.

Therefore, finding no merit in the present petition, the same is dismissed.

May 07, 2018
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No