

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

CR No. 6822 of 2016 (O&M)

Date of Decision: 24.05.2018

Vandana Tyagi

...Petitioner

Versus

Jatin Tyagi

...Respondent

CORAM:- HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Namit Khurana, Advocate
for the petitioner.

Mr. Anshul Mangla, Advocate
for the respondent.

KULDIP SINGH J. (Oral)

The present civil revision petition has been filed for setting aside the order dated 08.08.2016 (Annexure P-5), passed by learned Additional District Judge, Yamuna Nagar at Jagadhri, vide which, the petitioner was allowed maintenance @ ₹10,000/- per month for herself and ₹5,000/- per month for her daughter in an application filed under Section 24 of the Hindu Marriage Act, 1955, for maintenance *pendente lite*.

The petitioner is not satisfied with the quantum of maintenance and present revision petition has been filed for enhancement of the same.

I have heard learned counsel for the parties and have also perused the impugned order.

The pleadings of the respondent show that according to the petitioner herself, the respondent is doing business of supplying building material as a contractor and he is earning minimum of ₹50,000/- per month.

Out of those ₹50,000/-, only ₹15,000/- has been allowed to the petitioner and her daughter which is almost 1/3rd of the monthly earnings of the respondent.

Learned counsel for the respondent has placed on record copy of the order dated 04.02.2017, passed by Judicial Magistrate First Class, Yamuna Nagar at Jagadhri, wherein, in an application, filed under Section 125 Cr.P.C., similar interim maintenance was allowed to the petitioner.

I am of the considered view that at this stage, there is no proof about the exact income of the respondent. Therefore, without any proof of the higher income, there is no ground to interfere in the impugned order regarding its quantum.

The present civil revision petition is dismissed, accordingly.

Since the main revision is dismissed, civil miscellaneous application, if any, shall also stand disposed of.

24.05.2018

Waseem Ansari

(KULDIP SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No