

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

CRR(F) 148 of 2018

Date of Decision: 04.05.2018

Ravi Kumar

.....Petitioner

Versus

Rozi

.....Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Saurabh Dalal, Advocate
for the petitioner.

AVNEESH JHINGAN, J.(oral)

The revision petition is directed against the order dated 08.08.2017 passed by learned District Judge, Family Court, Bhiwani, fixing the monthly maintenance allowance of Rs.4000/- per month to respondent (minor-child).

A petition was moved under Section 127 Cr.P.C. for alteration of maintenance allowance earlier granted vide order dated 23.11.2010. The maintenance was fixed as Rs.400/- per month. It was pleaded that the minor-respondent was studying in Class-V at Charkhi Dadri and Rs.500/- for admission fee and Rs.2500/- for purchase of books and stationery had been incurred.

On issuance of notice, number of preliminary objections were raised and it was pleaded that the present petitioner (father of minor-respondent) is ready to keep her with him and will provide all the educational facilities, clothes etc to her.

The minor-respondent examined her real maternal grandmother and tendered several documents in evidence to show the expenses incurred on education etc.

From Ex.P3 a certificate issued by Head Master, Nehru High School, Charkhi Dadri, it is evident that the minor was studying in Class-IV in 2013 and was paying Rs.500/- per month as school fee. There is no doubt that with every class and growing age, expenses of minor-respondent are bound to increase.

Learned counsel for the petitioner argued that the petitioner is working merely as a mason and is not in a position to pay Rs.4000/- per month for the maintenance of minor-respondent.

The contention raised cannot be accepted. Rs.4000/- for a school going daughter itself may not be sufficient but keeping in view the occupation of the father and the facts of the case, the same cannot be, by any extent, said to be excessive. More so father is duty bound to take care of his minor daughter and to ensure that she gets education and other basic facilities atleast.

No ground is made out to interfere with the order dated 08.08.2017.

Dismissed.

04.05.2018
reema

(AVNEESH JHINGAN)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No