

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRR (F) No. 288 of 2018 (O&M)

Date of decision : 17.7.2018

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Sandeep Rana

.....Petitioner

vs.

Anita and another

.....Respondent

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. V.P. Sangwan, Advocate for the petitioner.

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H. S. Madaan, J. (Oral)

Petitioner Sandeep Rana, feeling aggrieved by the order dated 4.5.2018, passed by Principal Judge, Family Court, Rohtak, directing him to pay interim maintenance of Rs.10,000/- per month from the date of application to his minor daughter, currently aged 3 ½ years, has brought the present revision petition, praying that the order be set aside/modified.

I have gone through the impugned order, which is well reasoned one based upon proper appraisal and appreciation of evidence and correct interpretation of law. The Court below has taken into consideration the fact that mother of the child, namely, Anita, who is having her custody, is earning Rs.20,000/- per month, by serving in a private company at Gurgaon. As such no interim maintenance has been granted to her, whereas with regard to the minor child in custody of her mother, the court concerned, observing that respondent was earning a handsome salary per month,

considering his earning capacity, directed him to pay Rs.10,000/- per month to his minor daughter. The case of the petitioner was that the respondent is serving at Singapore in Murex Software Ltd. earning Rs.8 lacs per month. A perusal of copy of the written reply filed by respondent – revisionist goes to show that he has expressed his love and affection for his wife and minor daughter, even stating that he is ready and willing to keep the minor daughter. It being so, now he is hesitant to pay Rs.10,000/- for maintenance and bringing up of that daughter. In the written reply filed, it is mentioned that he was forced to leave his job in USA due to the litigation started by his wife. He has admitted that after the marriage, he and his wife had gone to USA.

The revisionist cannot escape the liability of paying maintenance for bringing up of his minor daughter. Keeping in view the trend of high prices, social status of parties, the earning capacity of the revisionist, needs of a growing child, a sum of Rs10,000/- granted by the Court below as interim maintenance for minor child cannot be called to be excessive. The order does not suffer from any illegality or infirmity and is well reasoned one.

Thus no interference in the said order by exercising the revisional jurisdiction is called for.

The petition being without any merit stands dismissed.

17.7.2018
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(H.S. Madaan)
Judge

Whether speaking / reasoned
Whether reportable

Yes/ No
Yes/ No