

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

CRR(F)-33-2019 (O&M)
Date of Decision: 22.1.2019

Naveen

.....PETITIONER(s).

VERSUS

Monika

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Ms. Anuradha, Advocate
for the petitioner.

RAJ SHEKHAR ATTRI, J.(Oral)

This is a revision petition against the order dated 13.12.2018 passed by learned District Judge, Additional Family Court, Hissar whereby interim maintenance @ ₹ 5,000/- i.e. ₹ 3,000/- to the wife and ₹ 2,000 to the minor son of the petitioner has been allowed.

Brief facts of the case are that the respondent wife filed an application under Section 125 of Code of Criminal Procedure for grant of interim maintenance.

Learned Judicial Magistrate allowed her application and she was granted ₹ 5,000/- per month as interim maintenance i.e. ₹ 3,000/- to the wife and ₹ 2,000 to the minor son of the petitioner.

Instead of making payment, the petitioner preferred this petition.

Counsel for the petitioner has submitted that the respondent wife has got a job and does not want to live with the petitioner and the Incharge of Crime Against Women Cell, Hissar has specifically stated that the respondent wife is not willing to reside with the petitioner.

Heard.

It is well established that the respondent wife and her minor son are unable to maintain themselves and the petitioner has ample income to maintain them. The respondent wife has nowhere stated in her statement before Crime Against Women Cell, Hissar that she is willing to reside with the petitioner. Said observation is without any reason and cannot be considered at this stage. Apart from it, parties have to lead evidence and this is not the appropriate stage to alter or set aside the impugned order.

No ground is made out for interference in the impugned order by this Court.

Dismissed.

(RAJ SHEKHAR ATTRI)
JUDGE

January 22, 2019
Paritosh Kumar

<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>