

116.

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

CRR(F)-19-2019

Date of decision:18.01.2019.

MEENU

... Petitioner

versus

ASHWANI KUMAR

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Parminder Singh, Advocate,
for the petitioner.

HARI PAL VERMA, J.(Oral)

The petitioner-Meenu, who is the wife of respondent-Ashwani Kumar, has filed the present revision petition against the order dated 30.10.2018 whereby in a petition filed by her under Section 125 Cr.P.C., learned Family Court, Karnal, has awarded maintenance @ Rs.5,000/- per month from the date of passing of the judgment.

Learned counsel for the petitioner has confined his argument that the learned Family Court was required to award maintenance to the petitioner not from the date of passing of the judgment rather from the date of filing of the petition under Section 125 Cr.P.C.

Having heard learned counsel for the petitioner and considering the fact that the respondent-husband was initially was working with Sarv Siksha Abhiyan on contract basis, a scheme sponsored by the Government of India, and noticing the fact that thereafter he has started pursuing LL.B course, this Court finds that it has rightly weighed the mind of

the learned Family Court to grant maintenance from the date of passing of the judgment as at present he is not in any employment, rather a student of LL.B.

Moreover in the case of *Jaiminiben Hirenghai Vyas and another Versus Hirenghai Rameshchandra Vyas and another-2015(1) RCR (Criminal) 84* and *Bhuwan Mohan Singh Versus Meena and others-2014(3) RCR (Civil) 749*, it is held that the Court has the discretion to grant maintenance either from the date of application or from the date of order, though for granting maintenance from the date of application, no reasons are required to be recorded.

In the case in hand, the husband is presently pursuing his LL.B professional course and is no more in employment. Therefore, the Court has rightly held the petitioner entitled to claim maintenance from the date of order instead of date of application.

No ground for interference is made out.

Dismissed.

(HARI PAL VERMA)
JUDGE

18.01.2019
sanjeev

Whether speaking/reasoned
Whether Reportable:

Yes/No.
Yes/No.