

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

CR No.8465 of 2017
Date of Decision : 28.03.2019

Jaspreet Bedi and another.

...Petitioners

Versus

Bikram Jit Singh.

....Respondent

CORAM : HON'BLE MR. JUSTICE B.S.WALIA

Present: Mr. Vinod Khunger, Advocate for the petitioners.

None for the respondent.

B.S.WALIA, J. (Oral)

1. Despite the case having been called out twice, none has put in appearance on behalf of the respondent. Since the revision petition is of the year 2017, I am not inclined to adjourn the matter. Accordingly the respondent is proceeded against exparte.

2. Heard learned counsel for the petitioner.

3. At the very outset, learned counsel for the petitioners states that he does not press the claim on behalf of petitioner No.1-wife and confines the plea to enhancement of maintenance to petitioner No.2.

4. A perusal of the impugned order reveals that the learned trial Court while taking into account the status of the parties, directed the respondent to pay a sum of ₹6,000/- per month to petitioner No.2 while declining the claim for maintenance to petitioner No.1-wife.

5. Learned Counsel has relied on the decision of this Court in **Rajni vs Rajbir Singh 2018 (5) RCR (Civil) 798** wherein while taking into account that since the petitioner wife was undertaking the welfare of the minor child who was residing with her, as such she was entitled to some amount for shouldering said responsibility which was the joint responsibility of the husband and wife. The Division Bench further held that since said service was being rendered as mother to the child born out of wedlock, she would be entitled to a contribution towards the maintenance of the child which otherwise was the obligation of the respondent father. The Division Bench further observed that since the petitioner wife was contributing by performing the said responsibility alone the respondent husband was required to pay at least a sum of ₹10,000/- per month for the maintenance of the child as he had gross income of ₹53,392/- and carry home salary of ₹32,262/- in the said case.

6. In the present case, the parties are educated, as admittedly petitioner No.1 is serving in B.B.K. D.A.V College for Women, Amritsar while the respondent is serving as Manager in H.D.F.C. Bank and having net income of ₹45,288/- p.m. as Bank Manager. The child is school going. The learned Additional District Judge after taking into account the income of the respondent husband as also status of the parties awarded

maintenance of ₹ 6000/- p.m. to petitioner No. 2. However, taking into account all aspects of the matter as also the decision relied upon besides income of the respondent, I am of the view that in the circumstances, it would be in the fitness of things and welfare of the minor child that the respondent pays a sum of ₹10,000/- instead of ₹6000/-per month for the maintenance of his child w.e.f. the date of application. In case, any amount has been paid towards maintenance in proceedings u/s 125 Cr.P.C. or under the Protection of Women from Domestic Violence, Act, the said amount will be adjustable against the maintenance of ₹10,000/- enhanced from ₹6000/- p.m.

7. Revision petition allowed in aforementioned terms.

(B.S.WALIA)
JUDGE

28.03.2019

rajesh.k.khurana

Whether speaking/reasoned

: Yes/No

Whether reportable

: Yes/No