

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

**CRR (F)-233-2019 (O&M)
Date of Decision : 29.04.2019**

Baljit Singh

..... Petitioner

Versus

Harpreet Kaur and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present : Mr. Gagandeep Singh Sirphikhi, Advocate
for the petitioner.

RAJ SHEKHAR ATTRI, J. (Oral)

The petitioner has preferred the instant petition under Section 401 Cr.P.C., challenging the order dated 20.02.2019, passed by the Family Court, vide which respondent No.1-wife was granted interim maintenance at the rate of Rs.5,000/- per month and respondent No.2-daughter was granted interim maintenance at the rate of Rs.3,000/- per month alongwith Rs.10,000/- as litigation expenses.

It is a case of the respondents that they have been neglected and refused to maintain by the petitioner and they have no source of income whereas the petitioner is working in defence department and is earning Rs.50,000/- per month.

I have heard learned counsel for the petitioner and have gone through the record.

At the stage of awarding interim maintenance, the court has to see a prima facie case in favour of the applicant because evidence has not

been adduced at this stage. However, the Court can alter, in either side, the amount of maintenance after adducing the evidence.

After going through the record, this Court is of the view that the impugned order does not suffer from any illegality, irregularity and infirmity and does not require any interference by this court and the same stands upheld.

As such, finding no merit in the instant petition, the same is dismissed.

However, nothing express in this order will affect the merits of the case.

**(RAJ SHEKHAR ATTRI)
JUDGE**

29.04.2019
mamta

Whether speaking/reasoned
Whether Reportable :

Yes/No
Yes/No