

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

CRR(F) No.204 of 2019

Date of decision: 10th September, 2019

Rajesh

... Petitioner

Versus

Maina @ Meena & another

... Respondents

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Chand Ram Olla, Advocate for the petitioner.

FATEH DEEP SINGH, J.

The revisionist Rajesh was ordered to pay maintenance to his wife Maina alias Meena and minor daughter Vrishti, however the husband failed to deposit the same as a consequence of which conditional warrants were issued for the recovery of ₹ 1,61,500/- being arrears of maintenance so awarded on the basis of orders dated 05.06.2018. The revisionist husband did not comply with the same and was taken into police custody and even before the learned Executing Court did not comply with the same which led to passing of the impugned order dated 29.01.2019 whereby the Executing Court of learned Principal District Judge, Family Court, Hisar ordered the JD to be detained in civil prison for a period of two years (with effect from 08.07.2016 to 08.09.2018) from the date of the order or till the payment is received, and in the eventuality the JD clears the payment he would be released from the custody.

The adamant husband, in stead of undergoing his obligation towards the dependent wife and the minor child, had again tried to wriggle out of it by filing the instant revision petition. Admittedly, as has been submitted even by learned counsel for the petitioner Mr. Chand Ram Olla, Advocate, a sum of ₹ 1,61,500/- was due on the date when the orders were passed and which till date has never been cleared. The provisions being handiwork to enforce the order of maintenance cannot be loosely interpreted to suit the whims and fancies of the husband in such an eventuality. No indulgence is necessitated. The learned counsel could not convince how the impugned order is illegal or suffers from perversity. The revision being hopelessly without merit, stands dismissed in limine.

(FATEH DEEP SINGH)
JUDGE

September 10, 2019

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Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No