

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

CRR (F) No.266 of 2019.

Decided on:- May 03, 2019.

Karambir Singh.

.....Petitioner.

Versus

Monika.

.....Respondent.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

Present:- Ms. Loveleen Dhaliwal, Advocate
for the petitioner.

HARI PAL VERMA, J.(Oral)

The petitioner has filed present criminal revision against the judgment dated 18.03.2019 passed by learned Principal Judge, Family Court, Jind, whereby in a petition filed by the respondent-wife under Section 125 Cr.P.C., the family Court has awarded maintenance of Rs.5,000/- per month to the respondent with effect from the date of filing of the petition.

Learned counsel for the petitioner has argued that the family Court has failed to appreciate the fact that even as per the case of the respondent-wife, the petitioner-husband is getting a meager salary of Rs.7,000/- to Rs.7,500/- per month. Though the respondent has claimed in her petition that the petitioner is having more than 10 acres of land, but she has not proved this fact as there is no land in the name of the petitioner. Therefore, the family Court has wrongly assessed the income of the petitioner-husband to be Rs.15,000/- per month.

I have heard learned counsel for the petitioner and perused the impugned judgment dated 18.03.2019 passed by the family Court.

While awarding the aforesaid maintenance, the family Court has taken into consideration the income of petitioner as Rs.7,000/- to Rs.7,500/- per month from the year 2012 to 2016 and in addition thereto, he was running a coaching centre. Not only this, his father owns 10 acres of land. It is after appreciating the entire evidence, the family Court has found the petitioner being able bodied educated person, who can safely earn around Rs.15,000/- per month from all sources. No such material has been brought by the petitioner to show that his father does not own 10 acres of land and his relations with his father are not cordial. Moreover, the maintenance @ Rs.5,000/- awarded by the family Court includes the expenses of minor daughter as well and it is legal obligation of the petitioner to maintain his wife and minor daughter. Therefore, this Court finds that the maintenance awarded to the respondent by the family Court is not on higher side. Moreover, cost of living is increasing day by day. Thus, no interference is warranted with the impugned judgment dated 18.03.2019 passed by the family Court.

Accordingly, affirming the impugned judgment dated 18.03.2019 passed by the family Court, present criminal revision, being devoid of any merit, is dismissed.

May 03, 2019
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No