

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

CRR (F) No.353 of 2019.

Decided on:- May 30, 2019.

Manmohan Singh.

.....Petitioner.

Versus

Pooja Devi and others

.....Respondents.

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

Present:- Mr. Abhimanyu Singh, Advocate
for the petitioner.

HARI PAL VERMA, J.(Oral)

The petitioner has filed present criminal revision against the order dated 27.02.2019 passed by learned District Judge, Family Court, Bhiwani, whereby on an application filed by the respondents seeking interim maintenance during pendency of the petition under Section 125 Cr.P.C. seeking maintenance, the family Court has directed the petitioner to pay a sum of Rs.16,000/- per month to his wife-respondent No.1 and a sum of Rs.8,000/- per month to each of his minor sons-respondents No.2 and 3 towards interim maintenance from the date of filing of the application till final disposal of the main petition.

Learned counsel for the petitioner has argued that the impugned order passed by the family Court is illegal from the face of it. The respondents are staying with the petitioner, but still they have moved a petition under Section 125 Cr.P.C., which is not maintainable.

I have heard learned counsel for the petitioner.

When this Court has put a specific query that whether the petitioner has pleaded in his reply to the application for interim maintenance or has raised argument before the family Court that the respondents are staying with the petitioner, learned counsel for the petitioner has failed to point out any such plea or argument raised by the petitioner before the family Court. Moreover, the maintenance awarded to the respondents is interim in nature and has been granted by the family Court keeping in view that the fact that the petitioner is serving as a P.T.I. teacher in Government Girls School, village Dhani Miran and is getting a salary of Rs.63,000/- per month and besides the same, he also owns 5 kanal agricultural land. Thus, no interference is warranted with the impugned order dated 27.02.2019 passed by the family Court.

Accordingly, affirming the impugned order dated 27.02.2019 passed by the District Judge, Family Court, Bhiwani, present criminal revision, being devoid of any merit, is dismissed.

May 30, 2019
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No