

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

CRR (F) No.221 of 2018 (O&M)
Decided on:- January 23, 2019.

Sunil Deswal.

.....Petitioner.

Versus

Lalita and another.

.....Respondents.

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

Present:- Mr. Rajender Singh Malik, Advocate
for the petitioner.

HARI PAL VERMA, J. (Oral)

CRM-1033-2019

The affidavit of petitioner Sunil Deswal is taken on record
subject to all just exceptions.

CRM stands disposed of.

CRR (F) No.221 of 2018

The petitioner has filed present criminal revision against the
judgment dated 13.03.2018 passed by learned District Judge, Family Court,
Sonipat, whereby in a petition under Section 125 Cr.P.C. filed by the
respondents, learned family Court has awarded maintenance of Rs.6,000/- per
month to each respondent, who are wife and minor daughter of the petitioner
respectively, with effect from the date of filing of the petition.

Learned counsel for the petitioner has argued that the family Court has awarded maintenance amount of Rs.12,000/- per month i.e. Rs.6,000/- to each respondent despite the fact that the petitioner has no source of income. He has relied upon the affidavit furnished by the petitioner wherein it has been mentioned that though the petitioner is M.Tech. and Ph.D. and was working in a private college as Assistant Professor at the time of marriage, but the college authority terminated his services. He has argued that the petitioner was unable to attend the college as his mother was suffering from cancer and ultimately died in July, 2014.

I have heard learned counsel for the petitioner.

Perusal of the impugned judgment dated 13.03.2018 passed by learned family Court reveals that the petitioner has admitted that he has ancestral property in village and a residential house at Rohtak and maintains a Santro car. On the other hand, the respondent-wife has to maintain a minor daughter as well.

The argument of learned counsel for the petitioner that the petitioner is not working cannot be accepted as he is a well qualified person possessing M.Tech. and Ph.D. degrees. Since he has decided not to work, the respondent-wife cannot be blamed for it. Therefore, her claim of maintenance cannot be denied on this ground. The couple is well-educated, therefore, it is legal obligation of the husband that his wife and daughter lives with dignity and as per the status of the parties. Thus, this Court finds that the maintenance awarded by learned family Court is not on higher side. Therefore, no

interference is warranted with the impugned judgment dated 13.03.2018 passed by learned family Court.

Accordingly, affirming the impugned judgment dated 13.03.2018 passed by learned family Court, present criminal revision, being devoid of any merit, is dismissed.

January 23, 2019
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No