

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

CRR (F) No.302 of 2018.

Decided on:- March 07, 2019.

Lalita and another

.....Petitioners.

Versus

Sunil Deswal.

.....Respondent.

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

Present:- Mr. Ketan Antil, Advocate
 for the petitioners.

HARI PAL VERMA, J. (Oral)

The petitioners have filed present criminal revision seeking enhancement of maintenance granted to them by learned District Judge, Family Court, Sonipat vide judgment dated 13.03.2018 in a petition filed by them under Section 125 Cr.P.C.

The petitioners are the wife and minor daughter of the respondent. Vide impugned judgment dated 13.03.2018, the family Court has granted maintenance of Rs.6,000/- per month to each of the petitioner from the date of filing of the petition.

Learned counsel for the petitioners has argued that though the family Court has held that the petitioner-wife was forced to live separately under compelling circumstances, but the awarded maintenance of Rs.6,000/- per month for each of the petitioner is on lower side. The educational

qualification of the respondent-husband is M.Tech. in Electronics and Communications and he has also completed his Ph.D. and is earning Rs.1.5 lakh per month. There is sufficient property with him including the ancestral property.

Having heard learned counsel for the petitioners and perusing the impugned judgment dated 13.03.2018 passed by the family Court, this Court finds that no doubt, the respondent-husband is a well-qualified person, but no such material has been placed on record to substantiate the fact that he is in employment or earning Rs.1.5 lakh per month, as averred in the petition. At the same time, petitioner No.1-wife is M.Sc. Bio Tech., B.Ed., Ph.D.

Thus, in the absence of any conclusive evidence showing the income of the respondent, this Court finds that the family Court has awarded adequate maintenance to the petitioners and no ground for enhancement of the maintenance is made out.

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

March 07, 2019
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned:	Yes
Whether Reportable:	No