

120.

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

**CRR(F)-435-2019 (O&M)**

Date of decision:16.07.2019.

SUMIT

... Petitioner

versus

SHARDA AND ANR

.... Respondents

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

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Present: Mr. Amit Arora, Advocate,  
for the petitioner.

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**HARI PAL VERMA, J.(Oral)**

Present petition has been filed by the petitioner-husband impugning the order dated 21.05.2019 passed by the learned Principal Judge, Family Court, Sirsa, whereby on an application filed by the respondent under Section 125 Cr.P.C., the respondents have been awarded a total maintenance of Rs.10,000/- which includes Rs.5,000/- per month to respondent No.1, Rs.3,000/- per month to respondent No.2 and Rs.2,000/- per month to one Rishi, who was born after filing of the petition by the respondents under Section 125 Cr.P.C.

Counsel for the petitioner states that the maintenance awarded to the respondents is on higher side. Respondent No.1 is not inclined to live with the petitioner though petitioner has filed a petition under Section 9 of Hindu Marriage Act seeking restitution of conjugal rights. Petitioner is ready to settle the dispute through mediation proceedings.

Heard.

So far as the present revision petition impugning the order dated 21.05.2019 whereby the respondents have been awarded interim maintenance is concerned, the same is dismissed, for the reason that the Family Court has taken into consideration the income of the petitioner as Rs.40,000/- per month.

The arguments of counsel for the petitioner that the petitioner does not possess any plot/house/land/vehicle in his name, and he is driver only, are required to be considered by the trial Court, however, considering the offer made by the counsel for the petitioner that the petitioner is ready to settle the dispute through mediation proceedings, the learned Family Court, Sirsa shall give an opportunity to the parties to explore the possibility of mediation before further proceeding in the matter.

Dismissed.

**(HARI PAL VERMA)**  
**JUDGE**

16.07.2019  
sanjeev

Whether speaking/reasoned  
Whether Reportable:

Yes/No.  
Yes/No.