

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRR(F)-582-2019 (O&M)
Date of Decision:-29.8.2019

Pardeep Singal ... Petitioner

Versus

Smt. Anju Singal and another ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Amit Aggarwal, Advocate for the petitioner.

GURVINDER SINGH GILL, J.(Oral)

The petitioner has approached this Court challenging order dated 16.7.2019, whereby the learned District Judge, Family Court, Faridabad, while disposing of an application for grant of interim maintenance during the pendency of the petition under Section 125 Cr.P.C. has awarded maintenance to the respondent Anju Singal @ ₹7,000/- per month apart from awarding another amount of ₹4,000/- per month to minor son of the parties.

The learned counsel for the petitioner has submitted that the aforesaid amount is on the higher side and that although he was earlier getting a salary of ₹44,000/- per month, but he has since left the said job. It has further been submitted that infact the petitioner is looking after his minor daughter and mother and, as such, the aforesaid amount of ₹7,000/- per month as awarded to the petitioner's wife is on the higher side. The

learned counsel has submitted that the petitioner at present is barely able to earn ₹30,000/- per month. It has also been submitted that the petitioner's wife herself is earning an amount of ₹15,000/- per month while working as a clerk with an Advocate as had been disclosed by her at the time of submitting an application regarding admission of her daughter in Carmel Convent School, Faridabad. The learned counsel, in this regard, has referred to the copy of admission form annexed as Annexure P-3.

I have heard the learned counsel for the petitioner.

Keeping in view the admitted salary of the petitioner and also his earning capacity as he was earlier stated to be earning ₹44,000/- per month, in my opinion, the assessment as interim compensation for the wife as ₹7,000/- per month and ₹4,000/- per month for the minor child, cannot be said to be on the higher side, even while keeping in view the fact that the petitioner's wife may be earning something while working as a clerk to an Advocate as apparently she had been constrained to pick up the said job as the petitioner refused to maintain her. There is no merit in this petition and the same is hereby dismissed.

29.8.2019

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No