

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

CRR-2316-2019 (O&M)  
Date of Decision:- 11.9.2019

Azad Khan

... Petitioner

Versus

Hamseera Begam

... Respondent

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present:- Mr. Saleem Ahmed, Advocate, for the petitioner.

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**GURVINDER SINGH GILL, J.**

1. The petitioner has approached this Court challenging order dated 22.7.2019, passed by learned Additional Sessions Judge, Palwal, whereby an appeal filed by the petitioner challenging order dated 15.12.2018 passed by learned Judicial Magistrate 1<sup>st</sup> Class, Hathin, granting interim maintenance to the respondent and to her two children @ ₹5000/- per month has been dismissed.
2. Learned counsel for the petitioner has submitted that the aforesaid amount of interim maintenance is on the higher side in view of the fact that the petitioner is unemployed. It has further been submitted that in any case the notional income as assessed by the Trial Court @ ₹10,000/- per month is very much on the higher side. It has also been submitted that the petitioner in any case is willing to maintain his

children and has also moved an application for seeking custody of his minor children.

3. I have considered the aforesaid submissions. The petitioner has a bounden duty to maintain his wife and his minor children. The award of interim maintenance @ ₹ 5000/- per month, by no stretch of imagination can be said to be on the higher side. There is no perversity in the impugned order.
4. Finding no merit in the petition, the same is dismissed.

**September 11, 2019**

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**(GURVINDER SINGH GILL)**  
**JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No