

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

CRR(F)-829-2019 (O&M)
Date of Decision:-22.10.2019

Rakesh Garg @ Lakhan Garg

... Petitioner

Versus

Nidhi Sharma and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. J. S. Jaidka, Advocate for the petitioner.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court challenging order dated 17.8.2019, whereby the respondent No.2-Disha has been awarded maintenance @ ₹5,000/- per month.
2. The learned counsel for the petitioner has submitted that infact it is a case where the marriage between the petitioner and his wife i.e. respondent No.1 Nidhi Sharma stood dissolved by way of a petition under Section 13-B of Hindu Marriage Act, wherein the petitioner had given the agreed alimony to respondent No.1. It has been submitted that in these circumstances the impugned order whereby despite the divorce by mutual consent, an interim maintenance @ ₹5,000/- per month has been awarded to respondent No.2 is rather perverse.
3. I have considered the aforesaid submissions.

4. The mere fact that the husband and wife have parted ways would not deprive a minor of his right to seek maintenance from his father. The amount of interim maintenance as awarded by the trial Court @ ₹5,000/- per month cannot be said to be unreasonable or exorbitant so as to warrant any interference. Finding no merit in the petition, the same is dismissed.

22.10.2019

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No