

112

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRR(F)-34-2016

Date of decision: March 06, 2019

Anamveen Kaur and another

....Petitioners

Versus

Inderpreet Singh

....Respondent

**CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI**

Present: Mr. Sanjay Jain, Advocate  
for the petitioners.

Mr. Anirudh Kush, Advocate  
for the respondent.

**RAJ SHEKHAR ATTRI, J.**

This is a petition filed by the minors namely, Anamveen Kaur and Gursimar Singh through their mother and natural guardian Smt. Manpreet Kaur, for enhancement of maintenance.

Both of them had moved an application under Section 125 of the Code of Criminal Procedure for grant of maintenance on the ground that respondent has neglected and refused to maintain them.

The Family Court disposed of the petition by making following observations:-

*“However, the liability to pay maintenance to the petitioners-minor children should be apportioned between husband and wife. The respondent also placed reliance on the observations in **Vineet Sehgal Versus State of UP and others 2013(1) RCR (Civil) 62 (Allahabad High Court)**, where it has been held that since parents of the children are earning members, both of them are responsible to contribute towards maintenance of their children. Both the*

*parties are persons of status and likewise the children are also entitled to have education and other facilities of same standard. Thus, in the opinion of this court, the amount of maintenance awarded in favour of the petitioners shall be apportioned by father and mother in the ratio of 3:1 respectively. The petitioners are also held entitled to get litigation expenses from the respondent exclusively at the rate of Rs.5,000/- to be shared by them equally. Memo of costs be prepared accordingly. File be consigned to the record room after due compliance.”*

I have heard learned counsel for the parties and gone through the record.

On behalf of the respondent, the Income Tax Returns for the Assessment Years 2013-2018 are taken on record, which transpires that as per assessment year 2013-14, total income of the respondent-father is Rs.2,88,900/-, as per assessment year 2014-15, his income is Rs.3,29,612, as per assessment year 2015-16, his income is Rs.3,74,945/-, as per assessment year 2016-17, his income is Rs.4,10,400/- and as per assessment year 2017-18, his income is Rs.2,65,408/-.

Firstly coming to the quantum of maintenance, both the children are studying. They are also entitled to maintenance for the purpose of food, clothing, shelter, education charges and medical expenses. Respondent is earning Rs.35,000/- per month. The amount of maintenance already awarded by the learned trial court is highly meager and not appropriate to the circumstances of the case.

Now coming to the liability of the mother, the mother's heart is child's school room. It is stated that the comfort of cozy lap of the mother enjoyed by the child cannot be quantified in terms of money. Apart from it, she is giving her time with regard to all round development of the children.

After considering the entire facts, this court is of the view that only respondent-father shall pay Rs.5,000/- per month to each of the petitioners i.e. Rs.10,000/- per month in total from the date of filing the application.

Petition stands disposed of accordingly.

**(RAJ SHEKHAR ATTRI)**  
**JUDGE**

**March 06, 2019**

*m. sharma*

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No