

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

CRR-113-2019 (O&M)

Date of decision: January 16, 2019

Parveen Anand

....Petitioner

Versus

Shobha and others

....Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Chander Shekhar Singhal, Advocate
for the petitioner.

RAJ SHEKHAR ATTRI, J.(ORAL)

CRM-1442-2019

In view of the averments made in the application, delay of 36 days in filing the revision petition is condoned.

The application stands disposed of accordingly.

CRR-113-2019

Respondent Smt. Shobha filed a complaint under Section 12 read with Sections 17, 18, 19, 20 and 22 of Protection of Women from Domestic Violence Act, 2005, before learned Judicial Magistrate Ist Class, Ambala. She moved an application for grant of interim maintenance. The said application was allowed vide order dated 02.01.2017, passed by the learned Judicial Magistrate Ist Class, Ambala and she was granted Rs.3500/- per month only from the date of filing the application.

Instead of complying the said order, petitioner challenged the said order by filing an appeal before learned Additional Sessions Judge, Ambala which was dismissed vide order dated 23.08.2018. Now he has come up with common petition.

Petitioner took a plea before the learned magistrate that he is earning only Rs.6,400/- per month but he did not produce any salary certificate. The wife asserts that he is earning Rs.30,000/- per month. The onus was upon the petitioner to prove his actual income but he did not produce any document to prove his actual income. Thus, inference is drawn that whatever the wife claimed in her application regarding the income of the husband, is true.

To the mind of this court, an amount of Rs.3500/- is highly meager and there is no scope for alteration.

After going through the material available on record, this court is of the view that impugned judgment and order dated 23.08.2018 and 02.01.2017 passed by the courts below do not suffer from any illegality, infirmity or irregularity and the same do not call for any interference and are hereby affirmed.

Therefore, the instant revision petition is hereby dismissed with costs of Rs.5,000/-, which shall be paid to the wife through bank draft, within a period of one month, before learned magistrate.

(RAJ SHEKHAR ATTRI)
JUDGE

January 16, 2019
m. sharma

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No