

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

**Civil Revision No.786 of 2020 (O & M)
Date of Decision:3.2.2020**

Ashok Kumar

...Petitioner

Versus

Mamta Rani

...Respondent

CORAM: HON'BLE MR.JUSTICE RAJIV NARAIN RAINA

Present: Mr.Bikram Singh, Advocate
for the petitioner

RAJIV NARAIN RAINA, J. (ORAL):

1. Prayer in this petition is for setting aside the impugned order dated 21.1.2020 (Annex.P5), passed by the Additional District Judge, Panipat, whereby the application for staying the execution proceedings before the executing Court, has been dismissed.
2. Heard learned counsel for the petitioner.
3. No ground to interfere with the discretion exercised by the Additional District Judge, Panipat in passing the order of maintenance under the Guardianship Act is made out.
4. The petitioner has filed a divorce petition against his wife. There are three children for the mother to look after, who resides separately, which includes two daughters and a son aged about 24 years, 18 years and 13 years. One daughter is stated to be married. The Family Court, Sonipat has awarded an amount of Rs.4000/- per month as maintenance while the Court of the Additional Civil Judge (Senior Division), Panipat, under the Hindu Adoption and Maintenance Act, 1956, has awarded Rs.5000/- per month which means the respondent-wife takes Rs.9000/- every month to

look after herself and her three children. The petitioner has not disclosed details of his education, of expenditure and income. Therefore, nothing can be said on this, at this stage, to scale down the reasonable maintenance amount fixed by the courts in exercise of their judicial discretion.

5. I have no cogent reason to interfere in the impugned order passed by the learned Additional District Judge, Panipat.

6. The petition is accordingly dismissed.

February 3, 2020
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(RAJIV NARAIN RAINA)
JUDGE

Whether speaking/reasoned
Whether reportable-

Yes/No.
Yes/No