

112.

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

CRR(F)-158-2020 (O&M)

Date of decision: 07.02.2020

KIRTI BHARDWAJ

... Petitioner

versus

DEEPIKA AND ANOTHER

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Anuj Garg, Advocate,
for the petitioner.

HARI PAL VERMA, J.(Oral)

Petitioner-husband has filed this revision petition impugning the judgment dated 14.12.2019 passed by learned Family Court, Panchkula whereby on a petition filed by the respondents (consisting of wife and a daughter of the petitioner) under Section 125 Cr.P.C., the learned Family Court has awarded maintenance @ Rs.4,000/- per month i.e. Rs.2,500/- per month to respondent No.1 and Rs.1,500/- to respondent No.2, from the date of filing of the petition till the date of the judgment. However, for the remaining period i.e. after passing of the judgment, the petitioner has been directed to pay maintenance @ Rs.3,500/- per month to respondent No.1 and Rs.2,500/- per month to respondent No.2.

Learned counsel for the petitioner has argued that the learned Family Court has held that the salary of the petitioner is Rs.11,850/- per month and observed that the petitioner, being able-bodied person, can earn Rs.4,000/- from part time job. He has further argued that not every body can

get part time job. Moreover, after working for the whole day, it is not possible for a person to work on part time basis and, therefore, the observation of the learned Family Court is nothing but a direction to the petitioner to work on part time basis. Respondent No.1 is a well-qualified person and, therefore, she is earning from tuitions.

Having heard learned counsel for the petitioner, this Court finds that even a daily wager is earning more than Rs.15,000/- per month. The claimants are none else but the wife and daughter of the petitioner. The argument of counsel for the petitioner that the learned Family Court has granted maintenance by considering the fact that the petitioner can earn Rs.4,000/- by putting extra work, though it is not the only factor to grant such maintenance, but at the same time even the minimum wages and that too a person like the present one who is holding diploma in electronics, cannot be assessed less than Rs.15,000/- per month.

No case for interference is made out.

Dismissed.

(HARI PAL VERMA)
JUDGE

07.02.2020

sanjeev

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No