

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

114

CRR(F)-229-2020(O&M)

Date of Decision:26.02.2020

Sanjay

.....Petitioner

Versus

Smt. Sapna

.....Respondent

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Mr. S.S. Mor, Advocate,
for the petitioner.

HARI PAL VERMA, J.(Oral)

CRM-7105-2020

Prayer in this application filed under Section 5 of the Limitation Act is for condonation of delay of 45 days in filing the present revision petition.

For the reasons stated in the application, the same is allowed and the delay of 45 days in filing the instant revision petition is condoned.

CRR(F)-229-2020

Petitioner has filed the present revision petition impugning the order dated 30.09.2019 passed by learned Principal Judge, Family Court, Jhajjar, whereby on an application filed by the respondent under Section 125 Cr.P.C., learned Family Court has awarded interim maintenance to the respondent @ ₹10,000/- per month from the date of filing of the application.

Learned counsel for the petitioner has argued that learned

Family Court has wrongly relied upon the averment made by the respondent

that in February, 2017, petitioner was drawing gross earning of ₹31,356/- per month while working with the Axis Bank. However, immediately thereafter, petitioner was not allowed to continue in the service and therefore, he is not earning anything and is hardly earning ₹3,000/- to ₹4,000/- per month. He further states that let the present petition be referred to the Mediation and Conciliation Centre of this Court.

Heard.

Apart from the fact that maintenance awarded to the respondent is interim in nature, the argument of the learned counsel for the petitioner that matter be referred to the Mediation Centre, this Court has no doubt in its mind that if such like prayer is made before the Family Court, the Family Court would not hesitate to refer the matter to the Mediation Centre.

Accordingly, in case the petitioner wants that the matter be referred to the Mediation Centre, he can approach the Family Court with such prayer. The other argument of the learned counsel for the petitioner that as on date, he is not earning anything cannot be accepted, more particularly when in the year 2017, petitioner was drawing salary @ ₹31,356/- per month.

No interference by this Court is, thus, made out.

Dismissed.

February 26, 2020
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No