

113.

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

CRR(F)-245-2020 (O&M)

Date of decision: 28.02.2020.

ASHOK KUMAR

... Petitioner

versus

NARBADA

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Ajay Kumar, Advocate,
for the petitioner.

HARI PAL VERMA, J.(Oral)

CRM-7659-2020

Prayer in this application filed under Section 5 of Limitation Act read with Section 482 Cr.P.C. is for condonation of delay of 15 days in filing the present revision petition.

For the reasons stated in the application, same is allowed and the delay of 15 days in filing the revision petition is condoned.

CRR(F)-245-2020

Petitioner-husband has filed the present revision petition impugning the order dated 14.11.2019 passed by the learned Family Court, Kurukshetra whereby on an application filed by the respondent under Section 125 Cr.P.C., the Family Court has awarded maintenance to the respondent @ Rs.3,000/- per month.

Learned counsel for the petitioner has argued that the respondent is not legally wedded wife of the petitioner. The respondent

being homeless lady, the petitioner has just given shelter to her. She is not entitled to claim maintenance from the petitioner.

Counsel has further argued that considering the nature of dispute, the matter may be referred for mediation.

I have heard learned counsel for the petitioner and perused the order dated 14.11.2019.

Apart from the fact that the maintenance awarded to the respondent is interim in nature, the argument of counsel for the petitioner that the respondent is not his legally wedded wife, is yet to be adjudicated during trial and, therefore, this argument cannot be accepted at the revisionary stage when the main petition is pending adjudication. The further argument of counsel for the petitioner that considering the nature of dispute, the matter be referred for mediation, in case the petitioner makes such like request before the Family Court, this Court has no doubt in its mind that the Family Court will consider the request of the petitioner so as to refer the matter for mediation before finally adjudicating the matter.

With this, the present petition is disposed of.

(HARI PAL VERMA)
JUDGE

28.02.2020
sanjeev

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