

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

**CRM-M-27834-2017
Decided on: 06.02.2020**

Ajay Pal Singh

.... Petitioner

Versus

Parkash Kaur

..... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Amit Babbar, Advocate
for the petitioner.

Mr. Deepak Arora, Advocate
for the respondent.

MANJARI NEHRU KAUL, J

The present petition has been filed under Section 482 Cr.P.C., for setting aside the impugned order dated 20.04.2017 (Annexure P-1) passed by learned Additional Sessions Judge, Gurdaspur and the order dated 21.12.2016 (Annexure P-2) passed by learned JMIC Gurdaspur whereby application for interim maintenance was accepted and the petitioner was directed to pay ₹7,000/- per month (Annexure P-2) in case No.2/2 dated 02.01.2016.

2. Learned counsel for the petitioner inter alia contends that the petitioner is the son of respondent and is admittedly running a restaurant at Dalhousie which was being run by his father, i.e. the husband of the respondent till 11.08.2003 when he expired. It is not disputed that the petitioner is the only son of the respondent-mother living in India, while all her other children are now living abroad.

3. It has been further contended that the respondent-mother has put the entire burden on him to shoulder her responsibility to the exclusion of her other children, whereas the financial condition of the petitioner is not very sound so as to enable him to pay a sum of ₹7,000/- per month to the respondent-mother.

4. I have heard learned counsel for the parties and perused the impugned order.

5. An amount of ₹7,000/- per month ordered to be given to the respondent-mother by the petitioner cannot by any stretch of imagination be said to be exorbitant and a burden on the petitioner, who admittedly is running a restaurant for the past many years in Dalhousie which is a popular hill station for tourists.

6. Therefore, in my opinion, there is no illegality or perversity in the order passed by the trial court.

7. Consequently, the present petition stands dismissed.

(MANJARI NEHRU KAUL)
JUDGE

06.02.2020

Dinesh

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No