

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

CR-1917-2020 (O&M)
Date of decision : 15.06.2020

Bharat Bansal

...Petitioner

Versus

Parul Mittal and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Vikas Bahl, Sr. Advocate with
Ms. Aakritee Raajj, Advocate for the petitioner.

ANIL KSHETARPAL, J. (ORAL)

The present petition has been filed under Article 227 of the Constitution of India for setting aside the order dated 25.02.2020, which reads as under:-

“No PW is present. On request of the petitioner the matter stands adjourned to 17.03.2020 for petitioner evidence as well as consideration on interim application as well as on application u/s 91 Cr.P.C. Both the parties are directed to furnish their affidavits of their income and their families.”

This Court has heard learned Senior Counsel Mr. Vikas Bahl, assisted by Ms. Aakritee Raajj, Advocate.

Learned counsel submits that the learned Family Court had no jurisdiction to direct the parties and their families to file their affidavits. He further submitted that the parties could only be called upon to produce

evidence.

This Court has considered the submissions. However, find no substance therein.

The proceedings for determination of maintenance payable to the wife are pending before the Family Court. For determining the amount of maintenance, the Court is required to apply its mind to the facts available on record.

Hence, the Court is well within its powers to direct the parties to file affidavits of their income and their families enabling it to fix the amount of maintenance.

Accordingly, the present petition is disposed of.

15.06.2020

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No