

110.

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

**CRM-29203-2019 IN
CRR-2418-2019**

Date of decision: 11.02.2020.

GURMEET SINGH

.... Petitioner

versus

VARINDER KAUR AND OTHERS

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Mohan Singla, Advocate,
for the petitioner.

HARI PAL VERMA, J.(Oral)

Petitioner, who is the husband of respondent No.1, has filed the present revision petition against the impugned order dated 25.05.2017 passed by learned Judicial Magistrate Ist Class, Amritsar, whereby on an application filed by the respondents under Section 125 Cr.P.C. seeking maintenance, the learned Magistrate has awarded maintenance @ Rs.4,000/- per month to respondent No.1, whereas respondents No.2 and 3 were held entitled to claim maintenance @ Rs.2,500/- each per month, from the date of application.

The aforesaid order dated 25.05.2017 passed by the learned Magistrate was subjected to challenge by the petitioner by way of appeal before the learned Additional Sessions Judge, Amritsar. However, while affirming the entitlement of the respondents to claim maintenance from the petitioner, the learned Additional Sessions Judge, Amritsar vide order judgment dated 28.10.2017 has modified the maintenance to respondent

No.1 and instead of awarding maintenance of Rs.4,000/- per month, has reduced the same to Rs.3,000/- per month. But as regards the entitlement of maintenance to respondents No.2 and 3, the same was affirmed, meaning thereby respondents No.2 and 3 were held entitled to claim maintenance @ Rs.2,500/- per month, as directed by the learned Magistrate in his order dated 25.05.2017.

Considering the fact that the claimants are none else but the wife and minor children of the petitioner and the present revision has been filed after an inordinate delay of 599 days, this Court does not find any sufficient cause so as to condone such an inordinate delay. The parties are otherwise in litigation. Therefore, the pleaded ground that the limitation starts from dismissal of the complaint filed by the respondents under Sections 406, 498-A IPC, is not sufficient enough to condone the delay, as proceedings in complaint case filed by respondent No.1 are all together different and independent.

Accordingly, the present petition is dismissed on account of limitation alone.

(HARI PAL VERMA)
JUDGE

11.02.2020
sanjeev

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