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

108

CRR(F) No.21 of 2021 (O&M)

Date of decision : 29.01.2021

Keith Joseph Rodrigues

... Petitioner

Versus

Parul Rodrigues and others

.. Respondents

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Deepak Dhingra, Advocate and
Mr. Deepak Saini, Advocate for the petitioner.

Anupinder Singh Grewal, J. (Oral)

CRM-2266-2021

There is a delay of 324 days in preferring the revision petition.

Learned counsel for the applicant/petitioner contends that the petition had been filed within limitation on 24.02.2020 and objections were raised by the Registry. Thereafter, objections were removed but due to Covid-19 pandemic, the petition could not be re-filed.

Heard through video conferencing.

In view of the reasons stated in the application especially the Covid-19 pandemic, it would be in the interest of justice to condone the delay and the revision petition be heard and decided on merits. The application is allowed and delay of 324 days in filing the revision petition is condoned.

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The petitioner has challenged the order dated 07.12.2019 passed by the Family Court, Gurugram whereby he has been directed to pay maintenance of

₹50,000/- each per month to respondents No.2 & 3, who are his daughters.

Learned counsel for the petitioner contends that the maintenance awarded by the Family Court is highly excessive and without any basis. The wife of the petitioner is also well employed, she is earning a salary of ₹84,000/- per month and should also bear the expenses for bringing up the daughters.

In response to a query of this Court about the salary or income of the petitioner at present, learned counsel for the petitioner pleads no instructions.

Heard through video conferencing.

It is stated in the petition that the petitioner is an MBA and B.E.(Mechanical) from IIT, Mumbai and MS from USA. The relevant extract of Para 4 of the petition is reproduced hereunder:-

“The petitioner is a Christian and B.E. Mechanical MBA, IIT, Mumbai and MS, USA. The petitioner is presently working in United States.”

The petitioner, however, in his cross-examination has stated that he has done mechanical engineering from BIT, Ranchi and has then done Masters in Mechanical Engineering from PURDEU University, USA. He did a one year course in Mechanical Engineering Management from IIT, Powai. The petitioner has also admitted that the PURDEU University is in the top ten universities in the USA. He has not filed his income tax returns or any salary certificate indicating his salary in the United States. He denied that his last drawn salary with Eicher Motors Ltd. in India in the year 2012 was ₹15 lacs per annum. He, however, has not produced on record any documents with regard to his income in the United States. He has also admitted that he is working as a Senior Engineer with a Multinational Corporation (MNC) in the USA since June 2016 in Illinois. In his

affidavit before the Family Court, he had also stated that he has taken the family on holidays previously to Rambagh Palace in Jaipur, Lavasa (Pune) and other outings.

It is, thus, manifest that the petitioner is a highly qualified professional. He has obtained degree in Mechanical Engineering and Masters degree from one of the top institutions of the world. He is employed with a MNC in the USA since June, 2016. It is disquieting to note that the petitioner is shying away from his sacred obligation to look after and bring up his children by financial support commensurate to his economic status. There is apparently a wide divergence in the income of the two parents as the wife of the petitioner is stated to be employed at Gurugram at a salary of about ₹84,000/- per month. The Family Court has awarded ₹50,000/- per month each to two daughters of the petitioner, who are studying at Delhi Public School, Gurugram.

In view of the factum of the petitioner being well qualified Senior Engineer employed in a MNC in the United States, the award of ₹50,000/- per month each as maintenance to the two daughters cannot be said to be unreasonable or excessive which would warrant interference while exercising revisional jurisdiction.

The petition stands dismissed.

(ANUPINDER SINGH GREWAL)
JUDGE

January 29, 2021
sonia gugnani

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No