

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

**CRR(F)-401-2020 (O&M)
Date of decision-08.01.2021**

Prem Chand

...Petitioner

Vs.

Mamta Devi and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. R.K. Arya, Advocate for
Ms. Sukhveer Kaur, Advocate for the petitioner.

MANOJ BAJAJ, J. (Oral)

Petitioner has filed this revision petition to challenge the order dated 06.02.2020 passed by Principal Judge, Family Court, Gurdaspur, whereby he has been directed to pay interim maintenance of Rs.3,500/-p.m. to his wife and Rs.2,000/-p.m. each to the minor children.

Learned counsel has argued that the Family Court has wrongly assessed the income of the petitioner as Rs.30,000/- per month and awarded the interim maintenance of Rs.7,500/-p.m. to the respondents, which is on higher side. He submits that the petitioner is neither running any paddy stall nor owns any land, therefore, the impugned order warrants interference.

After hearing learned counsel, this Court finds that through the impugned order passed in February 2020, only interim maintenance has been awarded under Section 125 Cr.P.C and the parties are yet to adduce their evidence. During the course of hearing, it is not disputed by learned counsel that the payment of maintenance is yet to be made by the petitioner and the Family Court has issued warrants against him for execution of the order.

The argument of the learned counsel that income has been wrongly assessed would require evidence and therefore, considering the amount of maintenance and the number of dependants, this Court does not find it to be a fit case for exercise of revisional powers.

Dismissed.

(MANOJ BAJAJ)
JUDGE

08.01.2021

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