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

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**Civil Revision No.170 of 2022(O&M)
Date of decision:08.02.2022**

SHAM LAL @ SHAM VASUDEVA ...Petitioner

Versus

SIMMI VASUDEVA AND ANR ...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Ramneek Vasudeva, Advocate, for the petitioner.

ANIL KSHETARPAL, J (Oral)

The hearing of the case is being held through video conferencing on account of restricted functioning of the Courts.

The petitioner is the respondent's husband. He assails the correctness of the order dated 16.11.2021, passed by the Family Court under Section 24 of the Hindu Marriage Act, 1955, while directing him to pay the maintenance pendente-lite @ Rs.14,000/- per month. The Family court has relied upon the income tax return for the year 2015-2016, filed by the petitioner while assessing the amount of maintenance.

The learned counsel representing the petitioner contends that the Family Court has erred in relying upon an old income tax return rather than taking into consideration the subsequent income tax returns filed for the subsequent years.

It may be noted here that the petitioner and his wife have been blessed with two daughters, who are teenagers. It is the respondent, who is maintaining both the daughters. As per the income tax return of the petitioner, he is earning more than Rs.3.5 Lac per year. As per the findings, the petitioner is doing the business under the name and style of Gulshan Fruit Company, Sabji Mandi, Ropar.

Keeping in view the aforesaid facts, no ground to interfere in the impugned order is made out.

Dismissed.

However, the amount payable as per the orders passed by the Court in an application under Section 125 Cr.P.C., shall be liable to be adjusted for the payment of maintenance to the respondent-wife.

All the pending miscellaneous applications, if any, are also disposed of.

February 08, 2022 **(ANIL KSHETARPAL)**
nt **JUDGE**

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No