

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

119

CRM-M-25412 of 2016
Date of decision:06.08.2022

Gurnoor

... Petitioner

Vs.

Harkirat Singh

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Raman Mohinder Sharma, Advocate
for the petitioner.

Mr.A.S.Jaswal, Advocate for
Mr. Mahesh Dheer, Advocate
for the respondent.

SUVIR SEHGAL J.

By way of the present petition filed under Section 482 of the Code of Criminal Procedure, 1973 (for short “the Code”), petitioner has approached this Court seeking enhancement of maintenance by modification of orders dated 04.03.2016 passed by learned Additional Sessions Judge, Patiala in criminal revision and order dated 02.09.2015 passed by learned Judicial Magistrate Ist Class, Patiala in petition under Section 125 of the Code, whereby, he has been awarded monthly maintenance of Rs.5,000/- from the date of filing of the application.

Heard counsel for the parties.

Much water has flown during the pendency of the proceedings.

Petitioner is the son of the respondent. His date of birth is 13.07.2000 and

he has attained the age of majority. In view of the judgment of the Supreme Court in **Amarendra Kumar Paul Vs. Maya Paul and others (2009) 8 SCC 359**, on attaining majority, a son is not entitled to claim maintenance from his father. On the other hand, respondent, who was working as a Tabla Instructor in Govt. College for Girls, Patiala and drawing a monthly salary of Rs.45,952/- has superannuated and his monthly emoluments have come down to Rs.10,640/-, which he is getting by way of pension.

It is indeed strange that instead of supporting his father-respondent, morally and financially, the petitioner, who is an able-bodied young man is insisting and claiming enhancement of maintenance from the respondent. Such claim deserves to be rejected.

Holding the petition to be an abuse of process of law, it is hereby dismissed.

August 06, 2022
savita

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes
Whether Reportable	Yes