

219 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR(F)-721-2019
Decided on : 03.03.2022

Satyavero Devi @ Satbiri

..... Petitioner

Versus

Som Pal Singh

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Ms. Harmanpreet Kaur (Simmi), Advocate
for the petitioner.

Manjari Nehru Kaul, J.(Oral)

The petitioner is impugning the order dated 21.01.2019 passed by Addl. District & Sessions Judge/Principal Judge, Family Court Ambala vide which the respondent was directed to pay Rs.5,000/- per month as maintenance allowance to her.

Learned counsel for the petitioner *inter alia* contends that the petitioner is 70 years old lady suffering from various age related medical ailments and has no source of income. She submits that the amount of Rs.5,000/- awarded vide the impugned order is meager and hence, needs to be enhanced so that the petitioner, who is living at the mercy of her relatives, can sustain herself. She further submits that the respondent, on the other hand, though a pensioner, is getting approximately Rs.46,000/- per month.

Heard learned counsel and perused the relevant material on record.

It has not been disputed by learned counsel for the petitioner and rather it finds reflected in the impugned order itself that the parties arrived at an amicable settlement before the Court below wherein with the

consent of the petitioner herself, Rs.5,000/- per month as maintenance allowance was settled between the parties and a joint statement to the said effect was also recorded. The aforementioned amount of Rs.5,000/- per month, was to be deposited by the respondent in the saving bank account of the petitioner and all the litigations pending between the parties were to be withdrawn.

In the aforementioned circumstances, the petitioner cannot now turn around and impugn the amount of maintenance on the ground that it is meager and not enough to sustain herself. It is not even her case that she was threatened or pressurized to enter into a settlement or the settlement was effected fraudulently. Still further, the respondent has been regularly depositing the sum of Rs.5,000/- per month in the account of the petitioner as per the terms and conditions of the compromise.

As a sequel to the above, the present petition stands dismissed.

(MANJARI NEHRU KAUL)
JUDGE

03.03.2022

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Whether speaking/reasoned:

Yes/No

Whether reportable :

Yes/No