

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

119

CRR(F)-343-2021

Decided on : 21.01.2022

Parveen

... Petitioner(s)

Versus

Sunita

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. Chander Pal Tiwana, Advocate
for the petitioner(s).

MANJARI NEHRU KAUL, J. (Oral)

The instant revision petition has been preferred against the impugned order dated 05.02.2020, passed in case MNT/RBT-193 of 2019, CIS No. MNT/199 of 2019, CRN No. HRKH01-007429-2019, titled as, “Sunita Vs. Parveen”, by the learned Principal Judge, Family Court, Kaithal, vide which the respondent-husband (petitioner herein) to pay interim maintenance allowance of Rs. 10,000/- p.m. to the petitioner-wife (respondent herein).

Learned counsel for the petitioner submits that the amount of Rs. 10,000/- p.m. awarded as interim maintenance to the respondent (wife) is exorbitant and beyond his means. Learned counsel further submits that the petitioner is a small farmer earning a meager sum of Rs. 6000/- p.m. and only possesses 2.5 acres out of 7 acres in his name, whereas, the respondent, on the other hand is a practising lawyer in the District Courts at Kaithal. Therefore, she is not entitled to interim maintenance, more so, when she had left the company of the petitioner without any reasonable cause.

Heard and perused the material on record including the

impugned order.

A perusal of the impugned order would reveal that the petitioner in his duly sworn-in affidavit has himself admitted that he owns 7.5 acres of land. In addition, the petitioner in his affidavit has also admitted his income to be Rs. 80,000/-.

No doubt, the respondent admittedly is a law graduate but as per her affidavit, she does not have any income. The petitioner has not brought any material on record to corroborate the factum of the respondent-wife earning enough to sustain herself. Moreover, the earning potential and the remuneration received therein, in actual may not necessarily be in conformity. Nothing could be further from truth than the presumption that solely on the basis of the fact that the respondent being a practising lawyer entails she takes home earnings adequate enough to sustain herself! Moreover, the petitioner is admittedly able bodied and he cannot hence, be permitted to evade his responsibilities towards the respondent-wife.

As an upshot to the above discussion, this Court is not inclined to invoke its revisional jurisdiction and set aside the impugned order dated 05.02.2020.

Dismissed.

(MANJARI NEHRU KAUL)
JUDGE

January 21, 2022

J.Ram

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