

In the High Court for the States of Punjab and Haryana at
Chandigarh

CRR(F)-500-2021 (O&M)
Date of Decision: July 25, 2022

Gurdial Singh

... Petitioner

Versus

Bishno Devi

... Respondent

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Sarbjit Singh Khaira, Advocate,
for the petitioner.

Vivek Puri, J.

The petitioner has assailed the order dated 09.09.2021 passed by the Court of learned Principal Judge, Family Court, Pathankot, vide which interim maintenance to the tune of Rs. 2500/- per month along with litigation expenses amounting to Rs. 5500/- have been awarded in favour of the respondent.

The petitioner has mainly assailed the impugned order on the score that there exists no relationship of husband and wife between the parties and as such, the respondent is not entitled to interim maintenance.

The perusal of the impugned order passed by the Court below indicates that in an inquiry proceedings, the petitioner had admitted the fact of marriage and got recorded the statement that one saint has arranged the

marriage with the respondent in the year 2011. Consequently, during the course of hearing, the learned counsel for the petitioner sought time to place on record copy of the said statement. However, today, the learned counsel for the petitioner in all his fairness submits that there exists a statement recorded during the course of inquiry proceedings and as observed in paragraph 5 of the impugned order wherein the petitioner has acknowledged the fact that solemnization of marriage with the respondent.

In these set of circumstances, the relationship of husband and wife between the parties cannot be disputed. The monthly income of the petitioner has been assessed as Rs.12,000/- even on the assumption that he is working on daily wages. A meager sum of Rs.2500/- per month has been awarded on account of interim maintenance, which no stretch of imagination can be termed to be excessive or on higher side.

Consequently, the petition being devoid of merit, is dismissed.

July 25, 2022
vkd

[Vivek Puri]
Judge

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