

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

(216)

CRR(F)-1628-2018(O&M)

DATE OF DECISION:- 01.09.2022

PRIYA AND ANOTHER

...PETITIONERS

VERSUS

PARVINDER KUMAR

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Ms. Gehna Vaishnavi, Advocate
Legal Aid Counsel for the applicants-petitioners.

SUVIR SEHGAL, J. (ORAL)

Instant revision petition has been filed seeking modification of order dated 04.12.2017, whereby Family Court, Shaheed Bhagat Singh Nagar has awarded a monthly interim maintenance of Rs.3,000/- to wife-petitioner No.1 and Rs.1,500/- to minor-petitioner No.2 from the date of filing of the petition, besides Rs.3,000/- as litigation expenses, in a petition preferred by the petitioners under Section 125 of the Code of Criminal Procedure, 1973

Heard counsel for the petitioners.

Despite the fact that petitioner No.1 has claimed that her husband-respondent is earning Rs.50,000/- per month, yet she has not been able to support her assertion on the basis of any documentary evidence. Even before this Court, counsel for the petitioners has not been able to refer to any material except for submitting that the respondent is a professional photographer and gets contracts for photography during

marriages. In the absence of any proof regarding his income, Family Court has arrived at a conclusion that the respondent, who is an able bodied person, must be earning a minimum of Rs.12,000-Rs.15,000/- per month. On the basis of this assumption, the Family Court has passed the order awarding maintenance amount as has been noticed above. The awarded amount cannot be said to be inadequate.

There is no illegality or infirmity in the order passed by the Family court.

Application seeking condonation of delay of 209 days in the filing of criminal revision petition as well as the petition are dismissed.

(SUVIR SEHGAL)
JUDGE

01.09.2022

Kamal

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