

**IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH**

Sr. No.: 109

**Criminal Revision (F) No.169 of 2022 (O & M)**

**Date of Decision: April 11, 2023**

Shamsher

..... PETITIONER(S)

*VERSUS*

Sakeela

..... RESPONDENT(S)

. . .

**CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA**

. . .

**PRESENT:** - Mr. Rosi, Advocate, for the petitioner.

. . .

**Tribhuvan Dahiya, J (Oral)**

CRM No.5423 of 2023

Application seeking exemption from filing certified copies of Annexure P-1 to P-3, and impugned order, is allowed and documents are taken on record.

Main Case

This is a petition for setting aside the order dated 07.01.2023 passed by the Family Court awarding interim maintenance of ₹ 2000 per month to the respondent-wife, and also litigation expenses of ₹ 2000.

2. Learned counsel for the petitioner contends that the amount of maintenance granted is on higher side, since the petitioner is a labourer and is already maintaining his children.

3. It is not in dispute that the petitioner is an able-bodied and healthy person, nor that respondent-wife is not earning. He is, therefore, bound in law to maintain his wife, for whom only the interim maintenance

has been granted by the Family Court. Custody of the children being with the petitioner is not a relevant fact so far as the impugned order is concerned as it grants maintenance only to the wife. Besides, the same cannot be said to be on the higher side.

4. In view thereof, there is no ground to interfere with the impugned order.
5. Dismissed.

(Tribhuvan Dahiya)  
Judge

April 11, 2023

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Whether Speaking/ Reasoned:  
Whether Reportable:

Yes/ No  
Yes/ No