

111 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR-545-2019 (O&M)
Date of Decision:12.01.2023

BHUPINDER SINGH

..... Petitioner

Versus

AMITOJ SINGH THROUGH HIS MOTHER

..... Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. H.S. Minhas, Advocate for
Mr. Sumeet Jain, Advocate
for the petitioner.

JAGMOHAN BANSAL, J. (Oral)

The petitioner through instant petition is seeking quashing of order dated 29.10.2018 whereby JMIC, Kharar has granted maintenance of Rs.15,000/- to the minor son of the petitioner.

Learned counsel for the petitioner would submit that mother of the child is a school teacher and she is earning Rs.80,000/- per month, thus, amount of maintenance fixed by court below is excessive and needs to be reduced.

Learned counsel for the petitioner *inter alia* contends that petitioner though working with Bharat Sanchar Nigam Limited and getting gross salary amounting to Rs.1.51 lakh cannot be subjected to liability towards his minor son because he (son) is staying with his mother and mother being school teacher is getting salary about Rs.80,000/-.

The salary of petitioner at the time of passing of impugned order was Rs.60,000/- and at present his monthly income is Rs.1.51 lakh.

The petitioner is admittedly working with Bharat Sanchar Nigam Limited. The son of the petitioner was born on 08.03.2012 and he is staying with his mother and not with the petitioner. The respondent is staying with his mother who is working as a school teacher. The gross income of mother of the respondent is Rs.80,000/- approximately.

Admittedly, child belongs to well placed family and it cannot be expected that nowadays cost of living of a child of a well placed family can be less than Rs.15,000/- especially when the cost of living has become very high. The age of child at present is 10 years. The father is equally responsible for the maintenance of the son and he cannot be absolved from his responsibility. It appears that petitioner is trying to deflect from his responsibility which cannot be permitted and appreciated by Court.

Keeping in view, income of the petitioner as well as status of the family, this Court does not find that amount of maintenance fixed by court below is on the higher side, thus, the present petition deserves to be dismissed and accordingly dismissed.

(JAGMOHAN BANSAL)
JUDGE

12.01.2023
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Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>