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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR(F)-254-2020 (O&M)
Date of Decision:05.01.2023

SANDEEP KUMAR

..... Petitioner

Versus

AGGRIA

..... Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Deepak Thapar, Advocate
for the petitioner.

JAGMOHAN BANSAL, J. (Oral)
CRM-7864-2020

Application is for condonation of delay of 17 days in filing the
petition.

Keeping in view the averments made in the application, the
application is allowed and delay is condoned.

CRM stands disposed of.

CRR(F)-254-2020

The petitioner through instant petition is seeking quashing
of order dated 07.11.2019 whereby Principal Judge, Family Court,
Rohtak has granted maintenance of Rs.15,000/- to the minor daughter of
the petitioner.

Learned counsel for the petitioner would submit that mother
of the child is highly placed doctor and she is earning more than
petitioner, thus, amount of maintenance fixed by court below is excessive
and needs to be reduced.

The petitioner is admittedly working as cardiologist with global health private limited, Gurugram. The daughter of the petitioner was born on 12.09.2012 and she is staying with her mother and not with the petitioner since 26.10.2012. The petitioner unsuccessfully filed petition under Section 9 of Hindu Marriage Act, 1956 seeking restitution of conjugal rights. The respondent is staying with her mother who is working as Assistant Profession of Dentistry in PGI of Dental Sciences, Rohtak. The gross income of mother of the respondent is Rs.1,70,900/-.

Admittedly, child belongs to a doctor family and it cannot be expected that now a days cost of living of a child of a doctor family can be Rs.10,000/- to Rs.15,000/- especially when the costs 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 daughter 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

05.01.2023

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