

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

Sr. No.: 107

Criminal Revision (F) No.258 of 2022 (O & M)

Date of Decision: April 26, 2023

Sukhchain Singh

..... PETITIONER(S)

VERSUS

Amandeep Kaur & another

..... RESPONDENT(S)

...

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

...

PRESENT: - Mr. Arun K. Gupta, Advocate, for the petitioner.

. . .

Tribhuvan Dahiya, J (Oral)

CRM No.18667 of 2023

Application is allowed.

Affidavit of assets, income, arrears and payment made by the petitioner is taken on record.

Main Case

The petition has been filed for setting aside the order dated 02.07.2021 passed by the Family Court granting interim maintenance of ₹ 5,000 per month to the respondent-wife and ₹ 3,000 per month to the minor child in her custody.

2. Learned counsel for the petitioner contends that the amount of interim maintenance granted is on a higher side and the petitioner, who is working as labourer, is not in a position to pay the same.

3. As per the affidavit dated 24.04.2023 filed by the petitioner, as on date, he is in arrears of maintenance amounting to ₹ 2,10,000. So far,

only an amount of ₹ 78,000 only has been paid towards interim maintenance to the respondents.

4. The Family Court, on considering the reply filed by the petitioner, has come to the conclusion that he is an educated person, doing a job in private sector at Noida, earning ₹ 15,000 per month. By considering other documents, receipts regarding deposit of electricity bills etc., alongwith other relevant facts and circumstances of the case, the Court has concluded that the petitioner's monthly income is not less than ₹ 25,000 to ₹ 30,000. Based on that, the afore-mentioned amount of interim maintenance has been granted to the respondents.

5. In this background, the assertion of learned counsel for the petitioner that petitioner is only doing a labour work, cannot be believed. Looking at the facts of the case, the amount of interim maintenance granted, cannot be termed on higher side either. In view thereof, there is no ground to interfere with the impugned order.

6. Dismissed.

(Tribhuvan Dahiya)
Judge

April 26, 2023
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Whether Speaking/ Reasoned:
Whether Reportable:

Yes/ No
Yes/ No