

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

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**CRM-M No. 13982 of 2023
Date of Decision : 20.3.2023**

*Deven**..... Petitioner**versus**Savita and another**..... Respondents*

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Jagjeet Beniwal, Advocate, for the petitioner

TRIBHUVAN DAHIYA J. (ORAL):

This petition has been filed impugning the order dated 12.10.2022 (Annexure P-1) passed by the Magistrate, whereby interim maintenance of Rs.10,000/- has been awarded to respondent no.1/wife and Rs.5000/- to the minor child. It was also ordered that fifty percent of the arrears of interim maintenance were to be paid till the next date of hearing. The petitioner filed revision against this order before the Sessions Court. While dismissing the petition, it was ordered that the petitioner will pay Rs.5000/- per month in cash to the respondent/wife and remaining Rs.5000/- will be deposited in Court in the shape of FDRs till the complaint is decided. The interim maintenance to the minor child/respondent no.2 was also ordered to be deposited in Court in the shape of FDRs. The petitioner was required to make this payment at the rate of Rs.45,000/- per month from 1.1.2023, till the arrears stood adjusted, and thereafter he was to make regular payment, i.e., Rs. 5000/- in cash and Rs.10,000/- in the shape of FDRs till final adjudication.

2. Learned counsel for the petitioner contends that the petitioner does not have sufficient income, through he is an Advocate by profession and not in

a position to pay the entire arrears of maintenance. It has also been contended that interim maintenance is on a higher side.

3. The respondent/wife, who has the minor’s custody, is not earning. Besides, the matter is pending trial for final adjudication. At this stage, it cannot be said that the amount awarded as interim maintenance is on a higher side. The petitioner has already been granted relief of adjusting the amount of arrears payable by him, by the Revisional Court vide order dated 3.1.2023.
4. In view thereof, there is no ground to entertain the petition.
5. Dismissed.

(TRIBHUVAN DAHIYA)
JUDGE

20.3.2023
Ashwani

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No