

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

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**CRR (F) No. 480 of 2023 (O & M)
Date of Decision : 29.3.2023**

*Vijay Singh**..... Petitioner**versus**Sapna**..... Respondent*

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Parveen Kumar, Advocate, for the petitioner

TRIBHUVAN DAHIYA J. (ORAL):

This petition has been filed against the impugned order dated 28.2.2023, passed by the Family Court, granting interim maintenance of Rs.3000/- per month to the respondent/wife, in a petition filed by her claiming maintenance under Section 125 Cr.P.C.

2. Learned counsel for the petitioner contends that the wife has concealed the fact that she is earning and has regular income of Rs.9000/- per month. Whereas, the petitioner is a junior Advocate practicing at District Courts, Rohtak, and is not in a position to pay maintenance to the respondent/wife.

3. A perusal of the impugned order dated 28.2.2023 shows that there is no concealment on the part of respondent/wife so far as the remuneration of Rs.9000/- is concerned. Even in her affidavit of assets and liabilities, it is stated that she is getting Rs.3000/- per month as stipend from Employment Exchange, Hisar, and Rs.6000/- under Saksham Yojana. The amount is paid to unemployed persons for one hundred days of work provided to them. The said amount of Rs.6000/- and stipend of Rs.3000/-, cannot be termed as regular

income of the respondent; rather, it shows she is unemployed. Besides, the fact has been duly considered by the Court while granting interim maintenance of Rs.3000/- per month, which cannot be said to be on a higher side. At the same time, it cannot be believed that the petitioner, who is a practising advocate, does not have the income to pay the small amount of interim maintenance granted to the respondent/wife.

4. In view thereof, there is no ground to interfere with the impugned order passed by the Family Court.

5. Dismissed.

6. Pending miscellaneous application(s), if any, stands disposed of accordingly.

(TRIBHUVAN DAHIYA)
JUDGE

29.3.2023
Ashwani

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