

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

Sr. No.: 112

Criminal Revision (F) No.476 of 2023 (O & M)

Date of Decision: March 28, 2023

Mahender Singh Panwar

..... PETITIONER(S)

VERSUS

Ranjana Singh

..... RESPONDENT(S)

...

CORAM: **HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA**

...

PRESENT: - Mr. Sumeet Goel, Senior Advocate, with Mr. Tanmoy Gupta, Advocate, and Mr. Paramvir Singh Parmar, Advocate, for the petitioner.

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Tribhuvan Dahiya, J (Oral)

This petition has been filed against the order dated 03.02.2023 whereby the respondent-wife has been granted interim maintenance of ₹ 40,000 per month and litigation expenses of ₹ 11,000.

2. Learned senior counsel contends that the petitioner, who is working as Additional District & Sessions Judge in U.P., is not in a position to pay the amount of interim maintenance awarded by the Family Court, looking at the net salary he is drawing, as also the expenses he has to bear for his sons who are studying in Canada. He has taken education loan also for the purpose. A request has been made to consider reducing the amount to ₹ 30,000 keeping in view these facts.

3. A perusal of the impugned order shows that all the relevant facts have been taken into account by the Family Court while granting interim maintenance. It is not in dispute that the petitioner's gross monthly

income is ₹ 2,75,000, though he is drawing net salary of ₹ 1,55,193. It is also not in dispute that the respondent-wife, aged about 50 years, has just started practice, and would not have sufficient income at this stage. Besides, there is no material on record to establish her income, if any. The Family Court has held that petitioner's grown up sons, aged 25 and 23 years, cannot be considered as dependents on him. Be that as it may. This Court is not inclined to go into the issue. Whether the sons are dependents upon the petitioner or he has to bear their education and other expenses, can be proved during trial. At this stage, considering the petitioner's admitted income, as also the fact that respondent-wife does not have any noticeable earning, the amount of interim maintenance cannot be termed on a higher side. Therefore, there is no ground to interfere with the impugned order.

4. Dismissed.

(Tribhuvan Dahiya)
Judge

March 28, 2023
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Whether Speaking/ Reasoned:
Whether Reportable:

Yes/ No
Yes/ No