

In the High Court of Punjab and Haryana at Chandigarh

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2023:PHHC:051266

CRR(F)-524 of 2023

Date of Decision: 13.04.2023

Vinay

---Petitioner

versus

Amarpati

---Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Neeraj Sheoran, Advocate, for the petitioner

JAGMOHAN BANSAL, J. (ORAL)

The petitioner, through the instant petition is seeking setting aside of order dated 11.1.2023 whereby Principal Judge, Family Court, Hisar, has allowed interim maintenance of Rs. 8000/- per month to the respondent-wife.

Learned counsel for the petitioner *inter alia* submits that amount of maintenance awarded by the court below is on the higher side. The total monthly income of the petitioner is assessed Rs. 16,000/-, thus, it is difficult to pay awarded amount of maintenance. The Family Court has not considered the statement of assets and liabilities filed by the petitioner.

I have perused the record and heard arguments of the learned counsel for the petitioner.

From the perusal of findings recorded by trial court while awarding maintenance allowance, it is succinctly clear that trial court has duly considered existence of marriage between the parties, income of the petitioner, income of the respondent, responsibility of the petitioner towards his legally wedded wife. It is settled proposition of law that amount of maintenance awarded must be in consonance with status of the family and income of the husband. The object of maintenance is to prevent the wife and children from being driven to destitution and vagrancy. The cost of living is skyrocketing, thus

amount of maintenance awarded by impugned order, in no way can be called on the higher side.

The petitioner being husband has social, moral, ethical and statutory responsibility to maintain his family. He is attempting to deflect from his responsibility which can neither be permitted nor appreciated by this court.

It is pertinent to mention here that by impugned order interim maintenance has been awarded and petitioner would get opportunity to put forth his all pleas at the time of final determination of quantum of maintenance.

Finding no factual or legal infirmity in the impugned order, warranting interference by this court, present petition deserves to be dismissed and accordingly dismissed.

(JAGMOHAN BANSAL)
JUDGE

13.4.2023

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