

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**114****CRR(F) No.586 of 2023 (O&M)****Reserved on 19.07.2023****Date of Decision : 27.07.2023**

Gurwinder Singh

....Petitioner

VERSUS

Sarabjit Kaur and Others

....Respondents

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Arun Gupta, Advocate for

Mr. Rakesh Gupta, Advocate for the petitioner.

ALKA SARIN, J.

1. The present criminal revision petition has been filed challenging the impugned order dated 05.01.2023 whereby the Family Court has awarded maintenance of Rs.3000/- per month to the wife i.e. respondent No.1 herein and Rs.1500/- per month each to respondent Nos.2 and 3 who are the minor children. The only argument raised by learned counsel for the petitioner is to the quantum of maintenance which has been awarded to the respondents.

2. Learned counsel for the petitioner has contended that the maintenance awarded to the respondents is on the higher side and way beyond the means of the petitioner.

3. I have heard learned counsel for the petitioner.

4. In the present case the petitioner in his reply filed before the Family Court has admitted that he is doing the job of driving and in his affidavit of assets and liabilities he is stated to be working as a private

electrician and earning Rs.9000/- per month. On a query put by the Court as to the land owned by the family of the petitioner, learned counsel for the petitioner has candidly admitted that the family of the petitioner owns 5 acres of land. No evidence was placed on the record by the petitioner that he is incurring the school expenses of both the children. Admittedly, respondent No.1 is not working and unable to maintain herself and her children. The petitioner in his cross-examination has also admitted that he is working as an electrician and also drives a taxi by hiring a vehicle on rent. Additionally, the family of the petitioner also owns land.

5. Keeping in view the totality of the circumstances, the maintenance awarded to the respondents cannot be said to be on the higher side.

6. In view of the above, I do not find any merit in the present petition and the same is accordingly dismissed. Pending applications, if any, also stand disposed off.

(ALKA SARIN)
JUDGE

27.07.2023
jk

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO