

In the High Court of Punjab and Haryana at Chandigarh

114

2023 : PHHC : 067926

CRR(F)-735 of 2023

Date of Decision: 11.05.2023

Smt. Seema and another

---Petitioners

versus

Arvind

---Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Lekh Raj Nandal, Advocate
for the petitioners

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioners, through the instant petition are seeking modification of order dated 18.04.2023 whereby Principal Judge Family Court, Rohtak has allowed interim maintenance of Rs. 10,500/- per month i.e. Rs. 7500/- per month to petitioner No. 1 and Rs. 3,000/- per month to petitioner No. 2-minor son.

2. Learned counsel for the petitioners inter alia contends that respondent has not filed affidavit disclosing his assets and liabilities as mandated by the Hon'ble Supreme Court in **Rajnish vs. Neha and another, (2021) 2 SCC 324**. The Family Court has assessed income of the respondent Rs. 30,000/- per month. The amount of maintenance awarded to petitioners is a meager amount and they cannot maintain themselves with such a meager amount.

3. I have heard learned counsel for the petitioners and perused the record.

4. From the perusal of impugned order it is quite evident that Family Court left with no other option has assessed income of the respondent Rs. 30,000/- per month. The Court in order to avoid delay has assessed interim maintenance. It is not a case of final maintenance. The Family Court is seized of the matter which would decide question of final maintenance after considering assests and liabilities of the respondent. The petitioners are certainly going to get an opportunity to put forth their stand at the time of determination of final maintenance.

5. 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

11.05.2023

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Whether speaking/reasoned : Yes

Whether reportable : Yes/No