

In the High Court of Punjab and Haryana at Chandigarh

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2023 : PHHC : 069546

CRR(F)-750 of 2023(O&M)

Date of Decision: 15.05.2023

Deepa and another

---Petitioners

versus

Parveen Pal

---Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Parminder Singh, Advocate
for the petitioners

JAGMOHAN BANSAL, J. (ORAL)

CRM-22039 of 2023

1. Allowed as prayed for. Annexure P-1 is taken on record.

Registry is directed to tag the same at an appropriate place.

CRR(F)-750 of 2023

2. The petitioners, through the instant petition are seeking modification of order 06.03.2023 whereby Principal Judge Family Court, Karnal has allowed interim maintenance of Rs. 12,000/- per month i.e. Rs. 2000/- per month to petitioner No. 1 and Rs.10,000/- per month to petitioner No. 2-minor son.

3. Learned counsel for the petitioner inter alia contends that Family Court has wrongly considered monthly income of the petitioner Rs. 16000/- per month. The petitioner had disclosed this income in the affidavit which was filed in terms of directions of the Hon'ble Supreme Court in **Rajnish vs. Neha and another, (2021) 2**

SCC 324. The petitioner at the time of passing of impugned order had already lost her job, however, trial court has not considered this fact and granted maintenance of Rs. 2000/- per month. The petitioner has no grievance qua maintenance of Rs. 10,000/- to petitioner No.2, however, maintenance of Rs. 2,000/- per month to petitioner No. 1 is not in consonance with income of the respondent as well as present cost of living.

4. Without commenting upon merits of the case, the present petition is disposed of with a direction to Principal Judge, Family Court, Karnal, to reconsider quantum of interim maintenance after considering present income of the petitioner No. 1 who is claiming that she has lost her job, thus, her income Rs. 16000/- per month could not be considered while passing the impugned order.

5. Disposed of in the above terms.

6. It is made clear that this order shall not effect maintenance granted to petitioner No.2.

(JAGMOHAN BANSAL)
JUDGE

15.05.2023

paramjit

Whether speaking/reasoned : Yes

Whether reportable : Yes/No