

2023:PHHC:097112

**112 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRR(F)-1019-2023

Date of Decision: 26.07.2023

HARPAL SINGH

... PETITIONER

VS.

MANPREET KAUR

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. B.S.Jaswal, Advocate
for the petitioner.

VIVEK PURI, J.(ORAL)

1. The petitioner has assailed the order dated 10.04.2023 passed by the learned Family Court, vide which interim maintenance @ Rs.3,000/- per month has been awarded in favour of the respondent.
2. Learned counsel for the petitioner contends that the petitioner is working as Helper in a clinic and his monthly income is only to the extent of Rs.4,500/-. This plea has also been raised in written statement submitted on behalf of the respondent.
3. It is significant to note that the learned Family Court has worked out the income of the petitioner to be Rs.15,000/- per month on the basis of affidavit of assets and liabilities submitted by him. The said affidavit indicated that the petitioner is working as a Helper in a clinic and getting monthly income of Rs.4,500/-. Besides, he is doing business of sale of mobile phone and its accessories under the name and style of Sethi Telecom in main bazar in Majitha Town and earning Rs.15,000/- per month. It was also observed that the petitioner is an able bodied person and it was his duty to maintain his wife.

4. It is significant to note that the copy of the affidavit of assets and liabilities has not been placed on record of the instant petition. It has also not been disputed that no child has been born from the wedlock. In such circumstances, even if, it is assumed that the petitioner is working as a casual labourer, the interim maintenance awarded @ Rs.3,000/- per month, by no stretch of imagination, can be termed to be excessive or on higher side or not commensurate with the income and status of the petitioner.

5. Dismissed.

26.07.2023
smriti

(VIVEK PURI)
JUDGE

Whether speaking/reasoned	: Yes/No
Whether Reportable	: Yes/No