

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

Sr. No.: 109

Criminal Revision (F) No.810 of 2023

Date of Decision: May 26, 2023

Deepshikha & another

..... PETITIONER(S)

VERSUS

Dharminder

..... RESPONDENT(S)

...

CORAM: **HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA**

...

PRESENT: - Mr. Ankit Gupta, Advocate, for the petitioners.

. . .

Tribhuvan Dahiya, J (Oral)

This petition has been filed for setting aside the order dated 05.04.2023 passed by the Family Court, whereby the petitioners, wife and the minor child, have been granted interim maintenance of ₹ 7,000 and ₹ 8,000 per month, respectively.

2. Learned counsel for the petitioners contends that the respondent-husband has concealed his true income from the Family Court in the affidavit of assets and liabilities filed by him. After passing of the impugned order, the petitioners came to know that some of the properties owned by the respondent were not mentioned in the affidavit filed by him. In this regard, he has referred to Mutation/*Intkal* Register of village Bahadurgarh, wherein certain properties are shown in the ownership of respondent, and, accordingly, sought permission to withdraw the petition to approach the Family Court for modification of the impugned order.

3. Since the fact of respondent owning the aforesaid properties was not before the Family Court while the impugned order granting interim maintenance was passed, the petitioners are granted permission to withdraw the petition with liberty to move an appropriate application seeking modification of the impugned order by bringing the aforesaid facts to the notice of the Family Court. In case such an application is filed, the same shall be decided by the Court on its own merits.

4. Dismissed as withdrawn with liberty aforesaid.

(Tribhuvan Dahiya)
Judge

May 26, 2023
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Whether Speaking/ Reasoned:
Whether Reportable:

Yes/ No
Yes/ No