

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

107

2023:PHHC:074846
CRR(F)-817-2023(O&M)
DECIDED ON: 24.05.2023

SANDEEP SHISHRAM CHOUDHARY

.....Petitioner

VERSUS

BABITA AND ANR.

....Respondents

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

Present: Mr. Gurmandeep Singh Sullar, Advocate, with
Mr. Devaki Anand Sullar, Advocate
Mr. Akun Sheemar, Advocate
for the petitioner.

SANJEEV PRAKASH SHARMA, J (ORAL)

The petitioner, by way of the present petition, assails the order of interim award passed by the Principal Judge, Family Court granting Rs.25,000/- as maintenance to the respondent-wife and Rs.12,000/- to the minor daughter.

Learned counsel submits that the contention raised by the respondents have not been examined and appreciated properly by the learned Family Court Judge.

Learned counsel submits that the respondent herself is having an income and is earning around Rs.30,000/- per month and the learned Court ought to have also considered that in the case pending before the learned Magistrate under the Domestic Violence Act, maintenance amount awarded was Rs.10,000/- only.

I have considered the submissions.

At the stage of passing of interim maintenance, the Court is only required to *prima facie* look into the evidence placed before it initially. Apparently, the petitioner is an owner of a transport company and have many trucks and also has agricultural land and his income has been assessed to around Rs.2,00,000/- per month.

Taking into consideration the said aspect, the amount of Rs.25,000/- awarded to the wife and Rs.12,000/- to the minor daughter as interim maintenance cannot be said to be on the higher side. However, the present observation would not affect the final adjudication of the case pending before the concerned Principal Judge, who may look into all the evidence which may come on record and produce by the petitioner to assess the final maintenance amount.

At this stage, no interference is warranted.

Petition is dismissed.

24.05.2023
mamta

(SANJEEV PRAKASH SHARMA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No