

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**114****CRR-F-890-2023(O&M)****Date of decision: 10.10.2023****Kamal****...Petitioner(s)****Vs.****Mohinder Kaur & Another****...Respondent(s)****CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA**

Present: - Mr. Sahil Choudhary, Advocate
for the petitioner.

NIDHI GUPTA, J.

Prayer in the present petition filed by the petitioner/husband is for setting aside impugned order dated 18.04.2023 passed by learned Additional Principal Judge, Family Court, Camp Court, Sub-Division Bilaspur, District Yamuna Nagar, whereby in an application filed by the respondents under Section 125 Cr.P.C., the petitioner has been directed to pay Rs.6,000/- per month as interim maintenance to the respondents.

2. Learned counsel for the petitioner inter alia submits that the petitioner is a mere labourer and he has no source of income and therefore, the impugned order granting Rs.6,000/- per month as interim maintenance to the respondents is on higher side and deserves to be set aside.

3. No other argument is made on behalf of the petitioner.

4. I have heard learned counsel for the petitioner.

5. Perusal of record of the case shows that the petitioner was married to respondent No.1 on 09.03.2015. One child i.e. respondent

No.2 was born out of this wedlock, who is in the care in custody of the mother/respondent No.1 herein. Parties are living separately since 16.05.2019. As the minor child is admittedly in the custody of respondent No.1, she has to not only pay his school fees but also has to bear all other expenses of the minor child, besides household expenses. Although, the petitioner has claimed himself to be earning only Rs.6,000/- per month as a labourer however, keeping in view the minimum wage notification dated 28.08.2023 issued by Government of Haryana, minimum wages admissible to even an unskilled labourer is Rs.10,661.28/- per month. Therefore, it is clear that the petitioner will be earning minimum Rs.10,661.28/- per month. In these facts and circumstances, I find no error whatsoever in the impugned order passed by learned Family Court. Present petition accordingly stands **dismissed**.

6. Pending application(s) if any also stand(s) disposed of.

10.10.2023

Sunena

(Nidhi Gupta)

Judge

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No