

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRR(F) 910/2023

Date of decision: 02.08.2023.

Baljit Singh and another

.....Petitioners

Vs.

Mehak Rani

.....Respondent

CORAM HON'BLE MS. JUSTICE NIDHI GUPTA

Present:- Mr. PKS Phoolka, Advocate for the petitioner.

Nidhi Gupta, J.

Petitioners, biological parents of respondent-daughter, by way of present revision petition lay challenge to the order dated 25.4.2023 passed by Id. Addl. Principal judge, Family Court, Bathinda whereby petitioner no.1 has been directed to pay interim maintenance @ Rs.2000/- per month to the respondent-daughter herein; and petitioner no.2 has been directed to pay Rs.1000/- per month to respondent herein from the date of institution of petition u/s 125 Cr.PC i.e. 25.8.2022 till 13.2.2023, the date on which respondent attained majority. Vide impugned order petitioners have also been directed to pay Rs.1000/- as litigation expenses to be equally paid by them to respondent.

Ld. Counsel for the petitioners submits that respondent, who is their naturally born daughter was handed over to her maternal grandmother at the time of her birth for the purpose of taking care of her and bringing her up properly. It is submitted that petitioners already have the responsibility of bringing up two other daughters and one son. It is submitted that respondent in connivance with her maternal grandmother treated petitioners with cruelty.

It is further submitted that respondent is well educated and knows how to stitch clothes and is earning more than Rs.20,000/- per month by tutoring the

children and stitching clothes, whereas petitioner no.2 has no independent source of income and is fully dependent upon her husband-petitioner no.1.

Heard ld. Counsel for the petitioner.

Perusal of the record of the case shows that the respondent, under the care and custody of her maternal grandparents, got her primary education from Arya Putri Pathshala, Talwandi Sabo till 2013 and thereafter she studied in Guru Nanak Senior Secondary School upto 2022. As the respondent wanted further education from Khalsa Senior Secondary School, Talwandi Sabo where she had to pay Rs.11,000/- as her admission fee along with some other expenses, the respondent was constrained to file the present petition under Section 125 Cr.PC before the Family Court.

It has further come on record that the petitioners are running two school vans and earning Rs. 1 lac per month. As per the petitioners' own admission as contained in the present revision petition, the petitioner no.1 is paying instalment of loan in respect of second van to the tune of Rs.13,000/- per month. Relationship between the parties is admitted. In view of the above facts where the relationship is admitted, I find no error in the impugned order which is just and fair, inasmuch as petitioners have been directed to pay maintenance to respondent only till the date on which she attained majority. Such direction is in consonance with the law laid down by Hon'ble the Supreme Court in **Abhilasha v Parkash (SC)** Law Finder Doc Id # **1741053**.

Dismissed.

02.08.2023.
Joshi

(Nidhi Gupta)
Judge