

**In the High Court of Punjab and Haryana at Chandigarh**

**116**

**CRR(F)- 617 of 2022(O&M)**

**Date of Decision: 27.02.2023**

**Sarabjot Kaur**

**---Petitioner**

**versus**

**Pardeep Singh**

**---Respondent**

**CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present: Mr. Jasinder Singh Thind, Advocate  
for the petitioner

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**JAGMOHAN BANSAL, J. (ORAL)**

**CRM- 25088 of 2022**

Allowed as prayed for.

**CRR(F)- 617 of 2022**

The petitioner, through the instant petition is seeking modification of order dated 11.05.2022 whereby Principal Judge Family Court, Jalandhar has dismissed application of the petitioner seeking interim maintenance.

Learned counsel for the petitioner inter alia contends that at the time of filing affidavit before the Family Court, the petitioner was having job of Billing Clerk and she was getting Rs. 7000/- per month, however, she has lost her job and at present she has no source of income. The respondent is running business of sale purchase of garments in the heart of city and earning more than Rs. 30,000/- per month. The Family Court has not granted even single penny to the petitioner which would drive her to destitution and vagrancy.

I have heard arguments of learned counsel for the petitioner and perused the record.

From the perusal of order passed by Family Court, it is quite evident that petitioner in her affidavit had stated that her monthly income is Rs. 7000/-. As per the petitioner, the situation has changed because she has lost her employment. There is no documentary evidence of income of respondent though the petitioner is claiming that husband of the petitioner is earning more than Rs. 30,000/- per month as he is running business of trading of garments in the heart of the city.

The Family Court has passed interim order and this Court, at this stage, cannot grant interim maintenance considering alleged changed status of the petitioner. It is the Family Court which can look into the facts and circumstances or changed facts and circumstances before coming to a conclusion in one or another way.

In view of the fact that petitioner has not been awarded interim maintenance, the Family Court is requested to determine amount of final maintenance after considering change in facts and circumstances, as alleged by the petitioner. The Family Court is requested to finally adjudicate the matter within four months from the date of receipt of certified copy of this order.

Disposed of.

**27.02.2023**

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**( JAGMOHAN BANSAL )**

**JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No