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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR(F)-1338-2023 (O&M)
Date of decision: 10.10.2023

MANPREET SINGH

...Petitioner

VERSUS

GURMEET KAUR

...Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. S. S. Behl, Advocate
for the petitioner.

Mr. Naveen Sharma, Advocate
for the respondent.

JASGURPREET SINGH PURI, J.

1. The present revision petition has been filed impugning the order dated 25.08.2023 passed by the learned Principal Judge, Family Court, Ludhiana, whereby the petitioner has been directed to pay an amount of Rs.20,000/- per month as ad interim maintenance to the respondent from the date of filing of the application i.e. 10.12.2021 till the disposal of the main application and also to pay an amount of Rs.25,000/- as litigation expenses under Section 125 Cr.P.C.

2. Learned counsel for the petitioner submitted that the petitioner is the son of the respondent and the learned Principal Judge, Family Court, Ludhiana has granted ad interim maintenance of Rs.20,000/- per month along with litigation expenses of Rs.25,000/- to the respondent-mother, which is on

the higher side and exorbitant since the petitioner does not have the capacity to pay the aforesaid amount. He further submitted that earlier an application for grant of maintenance was filed by the respondent and her husband, who are the parents of the present petitioner but the father of the petitioner died on 06.05.2023 and therefore, the claim for maintenance was pursued by the respondent-mother. He also submitted that the respondent has three daughters and after the death of the father of the petitioner, the house was transferred in the name of his mother but two of the daughters, namely, Kawaljit Kaur and Gurminder Kaur had conspired with the respondent-mother and got transferred the said house in their name by way of change of ownership, which was in fact in lieu of maintaining the respondent-mother. He further submitted that the respondent-mother is already being maintained by the aforesaid daughters and the petitioner is having his own family consisting of his wife and two children, who are minor and are students. He further submitted that after the petitioner abandoned his studies in the year 2000, he joined the Bank of Punjab as a Trainee with a salary of Rs.5,000/- and was then promoted as Executive and was drawing salary of Rs.7,500/- and thereafter, he was promoted as Assistant Manager with a salary of Rs.18,000/- in the year 2005. Thereafter, in the year 2005, he was shifted to Axis Bank as Deputy Manager with a salary of Rs.22,000/- and in the year 2007, he was promoted as Manager. He further submitted that in the year 2018, the petitioner joined IndusInd Bank as Deputy Vice President with a salary of Rs.1,25,000/- and worked there only till October, 2022. He further submitted that thereafter, the petitioner has no source of income and he has to maintain his own family, whereas on the other hand, his

mother is already being maintained by her daughters, who rather got transferred the aforesaid house in their name and as of now the petitioner is earning only Rs.5,000-7,000/- per month and he has no sufficient income to maintain the respondent-mother. He further submitted that the aforesaid amount of Rs.20,000/- was on the higher side and therefore, the order dated 25.08.2023 passed by the learned Principal Judge, Family Court, Ludhiana, is liable to be set aside.

3. I have heard the learned counsel for the petitioner.

4. The impugned order dated 25.08.2023 has been passed on an application filed under Section 125 Cr.P.C. and by way of said impugned order, only ad interim maintenance and litigation expenses have been fixed by the learned Principal Judge, Family Court, Ludhiana. The ad interim maintenance has been fixed at Rs.20,000/- per month from the date of filing of the application till the disposal of the main application along with Rs.25,000/- as litigation expenses under Section 125 Cr.P.C.

5. After hearing learned counsel for the petitioner, this Court is of the view that the scope of interference in the revisional jurisdiction is limited considering the old age of the respondent-mother, which is stated to be 68 years old and who is not earning anything except that she is staying with her daughters and also considering the fact that the petitioner is an able bodied man and as per the petitioner himself he was earlier employed in different Banks for large number of years, the amount of Rs.20,000/- per month fixed by the learned Principal Judge, Family Court, Ludhiana does not seem to be on the higher side. At the age of 68 years, the aforesaid amount is not even sufficient

to cater with the medical expenses of the respondent-mother. Even otherwise also, by way of impugned order, only ad interim maintenance has been granted and therefore, this Court is of the view that no infirmity or illegality can be found in the impugned order dated 25.08.2023 passed by the learned Principal Judge, Family Court, Ludhiana to interfere in the revisional jurisdiction of this Court.

6. Consequently, finding no merit in the present petition, the same is hereby dismissed.

10.10.2023
Chetan Thakur

(JASGURPREET SINGH PURI)
JUDGE

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