

In the High Court of Punjab and Haryana at Chandigarh

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CRR(F)- 1011 of 2022(O&M)

Date of Decision: 22.02.2023

Narender Singh

---Petitioner

versus

Bindu Kanwar and others

---Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr.Abhimanyu Singh, Advocate
for the petitioner

JAGMOHAN BANSAL, J. (ORAL)

CRM-40303-2022

The applicant is seeking condonation of delay of 49 days
in filing the instant petition.

In view of averments made in the application and
arguments advanced by counsel for the applicant, the application is
allowed and delay of 49 days in filing the instant petition is condoned.

CRM-40304-2022

Allowed as prayed for.

CRR(F)-1011 of 2022

The petitioner, through the instant petition is seeking
setting aside of order dated 01.06.2022 whereby Principal District
Judge Family Court, Bhiwani (Camp Court at Loharu) has allowed

maintenance of Rs. 3,000/- per month to the respondent-wife and Rs. 1500/- per month each to the children of the petitioner.

The brief facts of the case are that marriage of the petitioner was solemnized with respondent No. 1-Bindu Kanwar on 08.02.2014. There are two children from this wedlock. Unfortunately, couple could not enjoy fruit of the marriage and they started staying separate. The respondents preferred a petition under Section 125 Cr.P.C. seeking maintenance. The matter came up for consideration before Family Court at Bhiwani which vide impugned order dated 01.06.2022 has awarded maintenance of Rs. 3000/- per month to respondent-wife and Rs. 1500/-per month each to the children.

Learned counsel for the petitioner inter alia contends that he does not dispute maintenance qua children, however, he has grievance qua maintenance to wife. The Family Court without considering assets and liabilities of both sides has awarded maintenance of Rs. 3000/- per month to the respondent-wife.

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

From the perusal of impugned order it is quite evident that marriage of the petitioner with respondent No. 1 is not disputed. The petitioner is not disputing his liability towards his children. The petitioner has grievance qua maintenance awarded to wife. The amount of maintenance awarded to wife is a meager amount i.e. Rs. 3000/- per month which in no terms can be said to be excessive or contrary to income of any one. The Family Court has assessed income of the petitioner Rs. 18,000/- per month and petitioner is

unable to controvert this fact. The petitioner has social and moral responsibilities apart from statutory responsibility to maintain his wife and children. The Family Court has recorded a categorical finding that wife left company of the petitioner due to cruelty on the part of petitioner. The petitioner has not disputed all these facts, thus, there is no ground to interfere with well reasoned and speaking order passed by the Family Court.

In view of the above, finding no merit, the instant petition is dismissed.

(JAGMOHAN BANSAL)
JUDGE

22.02.2023

paramjit

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No