

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

Sr. No.: 113

Criminal Revision (F) No.1021 of 2022 (O & M)

Date of Decision: March 21, 2023

Gagandeep & another

..... PETITIONER(S)

VERSUS

Amit Sharma

..... RESPONDENT(S)

...

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

...

PRESENT: - Mr. Dixit Garg, Advocate, for the petitioners.

. . .

Tribhuvan Dahiya, J (Oral)

CRM No.6826 of 2023

Application is allowed.

School fee slip of petitioner No.2 is taken on record, subject to all just exceptions.

Main Case

This petition has been filed for setting aside the order dated 09.09.2022 whereby interim maintenance of ₹ 3,000 per month has been granted to the minor child/petitioner No.2 by the Family Court. No maintenance was granted to petitioner No.1/wife. She herself is working in Civil Hospital on contract basis and earning a salary of ₹ 20,000 per month. Taking into account the admitted salary of the respondent/husband - ₹ 19,200, the aforesaid amount of interim maintenance has been granted to the minor child.

2. Learned counsel for the petitioner contends that the petitioner-wife is working only on contract basis, and, therefore, is also entitled to maintenance. Besides, the amount of maintenance given to the petitioner-minor child is on a lower side as her school fee itself is more than this amount.

3. The Family Court has only granted interim maintenance taking into account the admitted facts on record. Both, petitioner No.1 and her husband-respondent, are earning almost the same amount of salary. Therefore, in case the Family Court has deemed it appropriate not to grant any interim maintenance to wife at this stage, there is nothing wrong about it. Besides, maintaining the child is joint responsibility of parents. Taking into account the income of parties, the amount of interim maintenance granted to the minor child also does not call for any interference. The parties are at liberty to bring relevant evidence on record establishing their claim during trial, which is going on.

4. In view thereof, no ground to interfere with the impugned order is made out.

Dismissed.

(Tribhuvan Dahiya)
Judge

March 21, 2023

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Whether Speaking/ Reasoned:

Yes/ No

Whether Reportable:

Yes/ No