

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH
Sr. No.: 116

Criminal Revision No.F-1251 of 2022
Date of Decision: February 23, 2023

Salauddin

..... PETITIONER(S)

VERSUS

Abrun and others

..... RESPONDENT(S)

. . .

CORAM: **HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA**

. . .

PRESENT: - Mr. Arjun Atri, Advocate for the petitioner.

. . .

Tribhuvan Dahiya, J (Oral)

This revision petition has been filed for setting aside the order dated 10.10.2022 passed by the Principal Judge, Family Court, Nuh, granting interim maintenance of Rs.10,000/- per month to the respondents, i.e., Rs.5,500/- to wife and Rs.1,500/- each to the three minor girls born out of the wedlock.

2. Learned counsel for the petitioner contends that the petitioner is not earning anything and is not in a position to pay the amount of interim maintenance awarded to the respondents.

3. It is not in dispute that the petitioner was married to respondent-wife about nine years ago, and three children were born out of the wedlock. They are staying separately from the petitioner, and the wife has no source of income to survive and look after the minor children. As per averments in the petition filed by the respondent-wife claiming maintenance, the petitioner-husband is working as a driver and is an agriculturist also,

earning more than Rs.50,000/- per month. Apart from bald denial in the reply filed by the husband, there is no specific averment in the written statement as to what his vocation is, and how much is he earning. In this situation, the Family Court considering the fact that the petitioner-husband is able-bodied healthy person, who is legally bound to maintain his wife and children, has awarded the aforesaid amount of maintenance to the wife.

4. There is no illegality or irregularity in the impugned order, which is based on sound reasons and relevant considerations.
5. Dismissed.

(Tribhuvan Dahiya)
Judge

February 23, 2023
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<u>Whether Speaking/ Reasoned:</u>	<u>Yes/ No</u>
<u>Whether Reportable:</u>	<u>Yes/ No</u>