

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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**CRR (F) No. 1198 of 2022
Date of Decision : 19.4.2023**

*Bijender Singh**..... Petitioner**versus**Naresh Kumari @ Narsi**..... Respondent*

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Sandeep Yadav, Advocate, for the petitioner

TRIBHUVAN DAHIYA J. (ORAL):

This petition has been filed against the judgment dated 27.9.2022, passed by the Family Court granting maintenance of Rs.5000/- per month to the respondent/wife.

2. A perusal of the order shows that the petitioner/husband's income has been assessed to be between Rs.20,000/- to Rs.24,000/- per month by considering him to be a skilled labourer. It has also come on record that at one point of time, he was selected as a Driver in Delhi Police. The impugned judgment reads as under:

32. Although during his cross-examination by learned counsel for the petitioner, the respondent stated that he had failed to clear the above said exam, when he was put the result of the above said test (Ex.P-3), he further took a stand that he had got failed in the Skill Test.

33. From the above said circumstances, it is evident that the respondent is a professional driver and as such he can be assumed to be a skilled labourer and his monthly income can be assumed to be a skilled labourer and his monthly income can be assumed somewhere between Rs.20,000/- to Rs. 24,000/- per month. The contention of learned counsel for the respondent that the driving license of the respondent was found fake and as such he could not join the service of Delhi Police on the basis of the result (Ex.P-3) does not hold water, for while facing cross-examination by learned counsel for the petitioner, the respondent nowhere

stated that he could not join the service of Delhi Police on account of his driving licence being fake and the mere fact which is stated by the respondent is that he had got failed in the Skill Test conducted for the post of Temporary Constable (Driver) in Delhi Police.”

3. Learned counsel for the petitioner is not in a position to dispute the facts recorded by the Family Court, nor could he point out any error of law in the judgment.
4. In view thereof, the amount of maintenance awarded cannot be termed to be on a higher side. The judgment is well reasoned and based on relevant facts. No interference is called for.
5. Dismissed.

(TRIBHUVAN DAHIYA)
JUDGE

19.4.2023
Ashwani

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