

116 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR(F)-24-2023 (O&M)
Date of Decision:09.01.2023

KARAMBIR SINGH

..... Petitioner

Versus

GANGA DEVI AND OTHERS

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Sanjeev Kumar, Advocate
for the petitioner.

JAGMOHAN BANSAL, J. (Oral)

The petitioner through instant petition is seeking quashing of order dated 23.01.2020 whereby Additional Principal Judge, Family Court, Panipat has granted interim maintenance of Rs.13,000/- to the wife and four children of the petitioner.

Learned counsel for the petitioner would submit that petitioner and respondents are staying in the same house and petitioner is paying school fee of the children. The petitioner cannot spare a sum of Rs.13,000/- out of Rs.37,800/-.

The petitioner admittedly is a Government servant (Lineman) and his marriage was solemnized with respondent No.1 on 15.12.1991 as per Hindu Rites and Ceremonies. The petitioner is getting salary of Rs.37,800/- per month. The petitioner is having four minor children and they are staying with their mother. The respondents may be doing small time work for their survival, however, the father is equally responsible for the maintenance of the wife and children and he cannot

be absolved from his responsibility. It appears that petitioner is trying to deflect from his responsibility which cannot be permitted and appreciated by Court. The maintenance fixed is interim and petitioner would get opportunity to put forth his stand before the Trial Court before the passing of any final order.

Keeping in view, income of the petitioner as well as status of the family, this Court does not find that amount of maintenance fixed by court below is on the higher side, thus, the present petition deserves to be dismissed on merits as well delay and accordingly dismissed.

(JAGMOHAN BANSAL)
JUDGE

09.01.2023
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Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>