

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

Sr. No.: 107

Criminal Revision (F) No.1376 of 2022 (O & M)**Date of Decision: May 01, 2023**Parveen

..... PETITIONER(S)

*VERSUS*Sweety

..... RESPONDENT(S)

...

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

...

PRESENT: - Mr. Saurabh Dalal, Advocate, for the petitioner.

. . .

Tribhuvan Dahiya, J (Oral)CRM No.14859 of 2023
& CRM No.50649 of 2022

Applications are allowed as prayed for.

Main Case

This petition has been filed for setting aside the order dated 29.11.2022 passed by the Family Court granting interim maintenance of ₹ 10,000 per month to the respondent-wife and ₹ 4,000 per month to the minor son, apart from litigation expenses of ₹ 11,000.

2. Learned counsel for the petitioner contends that the amount of maintenance is on higher side, and the petitioner, working in Haryana Police, is not in a position to pay the same. He has other liabilities, including payment of loan he has taken for treatment of his father, and also to maintain him, who is paralyzed and suffering from 80% permanent disability.

3. Submissions made by learned counsel for the petitioner have been considered.

4. Admitted, monthly salary of the petitioner, as apparent from the impugned order, is ₹ 38,917 per month. It has not been established on record that the respondent-wife has sufficient earnings to maintain herself. The liabilities of the petitioner, as claimed by him, cannot be a ground to avoid payment of interim maintenance granted to the respondents. The facts regarding the petitioner's alleged liability can be established by him during the pending proceedings of the application for grant of maintenance under Section 125 Cr.P.C. before the Family Court.

5. In view thereof, there is no ground to interfere with the impugned order.

6. Dismissed.

7. Since the main petition stands decided, pending application(s), if any, are disposed of as having been rendered infructuous.

(Tribhuvan Dahiya)
Judge

May 01, 2023
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Whether Speaking/ Reasoned:
Whether Reportable:

Yes/ No
Yes/ No