

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

111

CRR-F-574-2024(O&M)

Date of order: 24.04.2024

Seema & Another

.....Petitioner(s)

Vs.

Rohit Kuimar

.....Respondent(s)

CORAM: HON’BLE MS. JUSTICE NIDHI GUPTA

Present:- Mr. Parmod Kumar Parmar, Advocate
for the petitioners.

Nidhi Gupta, J.

Prayer in the present petition is for modification of order dated 08.02.2024 passed by learned Principal Judge, Family Court, Rewari, whereby in a petition filed under section 125 CRPC, the petitioners have been granted ad-interim maintenance of Rs.1,500/- each, per month.

2. Learned counsel for the petitioners inter alia submits that petitioner No.1 was married to the respondent on 07.12.2020. One child/petitioner No.2 herein was born out of this wedlock on 21.06.2022, who is currently in the care and custody of petitioner No.1/wife. Learned counsel states that the respondent is working as a Manager in a Warehouse and is getting a salary of Rs.30,000/- per month. In any event, the learned Family Court has determined that the respondent is earning Rs.12,000/- per month. Accordingly, the ad-interim maintenance of Rs.3,000/- per month as granted to the petitioners is on the lower side and deserves to be enhanced.

3.

No other argument is made on behalf of the petitioners.
4.

I have heard learned counsel for the petitioners and perused the case file in detail.
5.

Perusal of record of the case shows that it was pleaded by the petitioners before the Id. Family Court that the respondent is working as a Manager at a Warehouse at Luhari and is getting a salary of Rs.30,000/- per month. However, there is no evidence on record in this regard. On the contrary, the respondent had filed his income affidavit as per which he has shown his monthly income as NIL. Accordingly, the learned Family Court had presumed the respondent to be a labourer and had taken his notional income to be Rs.12,000/- per month. On a Court query, learned counsel for the petitioners has admitted that petitioner No.1 is working as a labourer.
6.

In view of the above, I find no ground is made out to interfere in the impugned order. Present petition accordingly stands **dismissed**.
7.

Pending application(s) if any also stand(s) disposed of.

24.04.2024

Sunena

(Nidhi Gupta)

Judge

Whether speaking/reasoned

Whether reportable

Yes/No

Yes/No