



226 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRR(F)-478-2017 (O&M)
Date of Decision: 06.08.2024

SUNIL KUMARI

...Petitioner

V/S

MANIT KUMAR

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Bhupinder Malik, Advocate
for the petitioner.

Mr. Arun Walia, Senior Advocate with
Mr. Mrinal Sharma, Advocate for the respondent.

HARPREET SINGH BRAR J. (Oral)

Petitioner is seeking enhancement of maintenance amount from Rs. 10,000/- per month awarded to the petitioner by learned Family Court Sonipat vide order dated 01.11.2017.

Learned counsel for the petitioner submits that the impugned order has been passed without obtaining the affidavit of the petitioner or the respondent, regarding their assets and liabilities. Now with the passage of time, salary of respondent has increased.

Learned counsel for respondent submits that he has no objection, in case, the parties are relegated to learned Family Court, Sonipat for deciding the matter afresh, in view of changed circumstances, after obtaining the affidavits in terms of judgment passed by Hon'ble Apex Court in *Rajnesh v. Neha and another (2021) 2 SCC 324*.

In view of the above, present petition is disposed of with liberty to the petitioner to move appropriate application under Section 127 of Cr.P.C. within a period of two weeks from the date of receipt of certified copy of this order and learned Family Court is directed to decide the controversy, preferably within a period of four months thereafter.

In the meantime, order regarding payment of maintenance amount to the petitioner shall remain in force.

Pending CRM(s), if any, are also disposed of accordingly.

06.08.2024		(HARPREET SINGH BRAR)
Ajay Goswami		JUDGE
	Whether speaking/reasoned	Yes/No
	Whether reportable	Yes/No