

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

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CRR(F)-1677-2023 (O&M)

Date of Decision: January 15, 2024

Prabhjeet Singh**.....Petitioner(s)****Vs.****Gurpreet Kaur and another****.....Respondent(s)****CORAM: HON'BLE MS. JUSTICE SUDEEPTI SHARMA**

Present: Mr. Imran Farooqi, Advocate
for the applicant-petitioner.

SUDEEPTI SHARMA J. (ORAL)

The petitioner in the present petition has impugned, the order dated 13.10.2023 passed by Ld. Additional Principal Judge, Family Court, Ludhiana, vide which the petitioner was mandated to pay maintenance to the tune of Rs.10,000/- per month to respondent No.2 (their minor child) under Section 125 Cr.P.C.

2. Learned counsel for the petitioner contends that the ld. trial Court has erred in assessing the earning of the petitioner. He further contends that the respondent No.1-Gurpreet Kaur is a Government Teacher earning about Rs.60,000/- per month and is having sufficient source of income to maintain herself and applicant No.2, who is their minor son, whereas the petitioner is earning just Rs.6,000/- per month working as a helper. Moreover, the amount of maintenance so awarded by the learned trial Court is on the higher side and he is not in a capacity to pay the same.

3. I have heard learned counsel for the petitioner and perused the impugned order dated 13.10.2023 passed by Ld. Additional Principal Judge, Family Court, Ludhiana Relevant portion of the same is as under:-

“8. The income affidavits of both the parties have been perused. The analysis of the pleadings and affidavit is as follows:-

a. The wife has shown that she has rented accommodation and thus paying Rs. 16,500/- per month and it includes four bedrooms. If her expenditure are far more than the income, there was no need for her to hire such a big house This shows that story, is trying to put-forth a false story.

b. The analysis of the expenditure clearly shows that she has shown exaggerated expenditure. In her affidavit, the expenses of child are shown to include Rs.2,500/- per month show as pocket money whereas the child is merely six years old;

c. In this competition of being the best liar, the husband is not far behind as he suddenly dropped his taxable income from more than Rs. 4,00,000/- per annum to Rs. 11,000/- per annum.

9. From the aforesaid analysis “there is no doubt that the wife is able to maintain herself and thus she is not entitled to any maintenance from the respondent. It is the duty of the parents to maintain their child for cold is which the expenses need to be shared. Thus the husband is held liable to pay Rs. 10,000/- per month to the applicant no.2 as Interim maintenance se from the date of application, As such, the interim application is partly allowed, without expressing any opinion on merits of the case.”

4. Since the impugned order dated 13.10.2023 passed by Ld. Additional Principal Judge, Family Court, Ludhiana, is well reasoned therefore, I do not find any merits in the present petition. Hence, the present petition being devoid of any merits, is hereby dismissed.

5. All pending applications, if any, stand disposed of.

(SUDEEPTI SHARMA)
JUDGE

January 15, 2024
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No