



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

**CRR(F)-71-2023 (O&M)
Date of Decision:-27.01.2025**

Vikas

.....Petitioner

Versus

Poonam

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Ankur Goyat, Advocate with
Ms. Kavita Joshi, Advocate for the petitioner.

Ms. Swati Katoch, Advocate for
Mr. Aman Pal, Advocate for the respondent.

JASGURPREET SINGH PURI J.(Oral)

1. The present revision petition has been filed to set aside the impugned order dated 15.12.2022, passed by learned Principal Judge, Family Court, Jind, whereby interim maintenance of Rs.4,000/- per month was awarded to the respondent.

2. Learned counsel appearing on behalf of the petitioner submitted that it is a case where learned Family Court, Jind, had granted interim maintenance of Rs.4,000/-per month to the respondent-wife and the respondent-wife is skilled in teaching and takes tuition classes, and therefore, she is capable of earning handsome amount. Hence, the amount of interim maintenance awarded is not appropriate. The counsel further submitted that the petitioner is alleged to be earning Rs.1,50,000/- per month, but in reality,



he is a labourer and does not earn the amount as projected by the respondent-wife. Therefore, the interim maintenance amount is on the higher side and the same may be set aside.

3. Learned counsel for the respondent-wife submitted that the respondent-wife is not earning any income and it has been wrongly so projected by the petitioner-husband that she takes tuition classes because there is nothing on record to show the same. She further submitted that on the other hand the petitioner-husband is an able-bodied man and is earning a significant income. The challenge in the present petition pertains only to the interim maintenance of Rs.4,000/- per month, which cannot be considered excessive and, therefore the present petition is liable to be dismissed.

4. I have heard the learned counsels for the parties.

5. The marriage between the parties is not in dispute. The petitioner-husband and respondent-wife are not staying together. Learned Family Court, has granted an interim maintenance to the tune of Rs.4,000/- per month. It is the allegation of the respondent-wife that the petitioner-husband is earning Rs.1,50,000/- whereas there is nothing on record as of now with regard to the income of the petitioner. The respondent-wife has no source of income and is not working and the petitioner-husband is an able bodied man. The challenge in the present petition is only to the grant of interim maintenance and that also to the tune of Rs.4,000/- per month. It is a settled law that if the husband is an able bodied man and the factum of marriage is not in dispute between the parties then the husband is bound to maintain the wife. So far as the present petition is concerned, the challenge is only to the amount of interim maintenance and it cannot be said that



Rs.4,000/-per month is excessive. Therefore, this Court does not find any perversity and illegality in the impugned order.

6. Consequently, finding no merit in the present revision petition, the same is hereby dismissed.

(JASGURPREET SINGH PURI)
JUDGE

27.01.2025

shweta

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No