



CRR(F)-390-2025

-1-

113

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

\*\*\*

**CRR(F)-390-2025  
Date of Decision: 21.03.2025**

Manjeet

..... Petitioner

Versus

Suman

..... Respondent

**CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI**

Present: Mr. Parmod Kumar, Advocate for the petitioner.

\*\*\*\*

**JASGURPREET SINGH PURI, J. (ORAL)**

1. The present revision petition has been filed for challenging the order dated 28.01.2025 passed by learned Principal Judge, Family Court, Jhajjar vide which application filed by the respondent/wife for grant of interim maintenance has been decided and an amount of ₹2,500/- per month as interim maintenance has been fixed.

2. Learned counsel for the petitioner/husband submitted that it is a case where the respondent/wife has been granted an interim maintenance of ₹2,500/- per month but she was not entitled for the same as she has withdrawn from the company of the petitioner/husband and has been living in an adulterous relationship with some other person, regarding which, even a petition under Section 13 of the Hindu Marriage Act, 1955 was filed by the petitioner on the same ground which is still pending. He further submitted that although the respondent/wife is not having any source of income but the petitioner is not liable to maintain her as a measure of interim maintenance because of the aforesaid reasons. He also submitted that the income of the petitioner which has been so presumed by learned Family Court is ₹15,000/-

**CRR(F)-390-2025****-2-**

per month for the purpose of calculating the quantum of maintenance to the respondent/wife out of the aforesaid income he has to maintain himself and his two children as well, who are residing with him and because of that reason also, the respondent/wife was not entitled for grant of interim maintenance and therefore, the impugned order by which the respondent/wife was granted interim maintenance is liable to be set aside.

3. I have heard the learned counsel for the petitioner.

4. The present revision petition has been filed by the husband against the wife assailing the orders passed by learned Family Court by which an interim maintenance of ₹2,500/- per month has been granted. A perusal of the impugned order would show that it has been so observed that as per the affidavit regarding income and expenditure furnished by the respondent/wife, her qualification is stated to be 8<sup>th</sup> class and is having no source of income whereas as per the affidavit of the petitioner, his qualification is matriculation and is doing labour work and his income has been revealed in the affidavit to be ₹500/- per day which comes to be around at least ₹15,000/- per month. The impugned order is only pertaining to the grant of interim maintenance of a meager amount of ₹2,500/- per month to the respondent/wife.

5. It has come on record by way of the impugned order that the respondent/wife has no source of income. An argument which has been raised by learned counsel for the petitioner that the respondent/wife is living in adulterous relationship which cannot become a ground for denial of interim maintenance to the wife because there is no adjudication or any order with regard to the same but only a mere allegation of the petitioner pertaining to adultery. A petition which is so stated to have been filed under

**CRR(F)-390-2025****-3-**

Section 13 of the Hindu Marriage Act, 1955 against the respondent/wife on the ground of adultery is also stated to be pending and therefore, there is no adjudication on the ground of adultery. Even otherwise also, the impugned order was only pertaining to grant of interim maintenance and the scope of the present revision petition challenging the aforesaid order is very limited.

6. It appears that the present petition is not only non-maintainable but is frivolous which has been filed at the drop of a hat. Once it has come on record that at the time of passing of the impugned order, the respondent/wife was not having any source of income and the petitioner was having a source of income as per their affidavits as so observed by learned Family Court, then for a meager amount of ₹2,500/- to be fixed as interim maintenance cannot be said to be of having any perversity or illegality by any stretch of imagination. Not only this, the aforesaid amount of ₹2,500/- in today's world of inflationary tendencies is also on the lesser side.

7. In view of the above, finding no merit in the present petition, the same is hereby dismissed with ₹10,000/- as costs. The petitioner is directed to deposit the aforesaid costs of ₹10,000/- to learned Family Court, Jhajjar within a period of two months from today. Thereafter, learned Family Court shall sent a report to this Court with regard to the aforesaid deposit of amount. In case, the aforesaid cost is not deposited, then learned Family Court shall proceed against the petitioner for recovery of the aforesaid costs.

**21.03.2025***Bhumika***(JASGURPREET SINGH PURI)  
JUDGE**

|                               |        |
|-------------------------------|--------|
| 1. Whether speaking/reasoned: | Yes/No |
| 2. Whether reportable:        | Yes/No |