IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

Criminal Revision (FC) No.26 of 2026
Decided on: 29.10.2026

Shivansh Kumar ... Petitioner

Versus

Dr. Narender Kumar ... Respondent

Coram

Hon'ble Mr. Justice Ajay Mohan Goel, Judge.
Hon'ble Mr. Justice Yogesh Jaswal, Judge.

Whether approved for reporting?[1]

For the petitioner: Mr. Surinder Saklani, Advocate.
For the respondent: Mr. Subhash Mohan Snehi, Advocate.

Ajay Mohan Goel, Judge (Oral)

By way of this petition, the petitioner has assailed order dated 26.02.2026, passed by learned Additional Principal Judge-II, Family Court, Una, H.P., in terms whereof, the petition filed by him under Section 125 of the Criminal Procedure Code has been party allowed and the respondent has been directed to pay a monthly maintenance amount of Rs.20,000/- to the petitioner as from the date of filing of the petition.

2. Learned counsel for the petitioner submitted that the petitioner is the son of the respondent. As per him, the father of the petitioner, i.e. the respondent, is having a gross monthly salary of more than Rs.2,35,000/-. He submitted that this fact stood proved on record before the learned Court below. Learned counsel further submitted that in this backdrop the award of Rs.20,000/- only per month, as maintenance is on the lower side and accordingly, he prayed that the maintenance amount be enhanced. On a query put

[1] *Whether reporters of the local papers may be allowed to see the judgment?*

to learned counsel for the petitioner, he informed the Court that the mother of the petitioner is serving as a Veterinary Doctor and is having an income of about Rs.1,12,000/- per month, but he submitted that as the father had no other liabilities, therefore, the amount of maintenance which was awarded by the learned Court below to the petitioner was on the lower side. He further submitted that the son is asthmatic and is also under treatment from Post Graduate Institute (PGI), Chandigarh. Accordingly he prayed that as the amount of maintenance awarded by the learned Court below is on the lower side, the same be enhanced.

3. Prayer was opposed by learned counsel for the respondent, who submitted that Rs.20,000/- per month was a reasonable amount.

4. Having heard learned counsel for the parties and having perused the order passed by the learned Court below, as it is a matter of record that the respondent-husband is presently serving as a Doctor in Postgraduate Institute of Medical Research and Science, Chandigarh and his gross monthly salary was more than Rs.2,35,000/- per month, as has also been referred to by the learned Court below in Para-13 of the order, we are of the considered view that the respondent can bear something more towards the monthly maintenance of the petitioner, as it could not be demonstrated before us that the respondent has any other serious monetary liabilities, on account whereof, he cannot pay more than that of Rs.20,000/- as

monthly maintenance to the petitioner, who is the sole son of the respondent.

5. Accordingly, we allow this petition partly and modify order dated 26.02.2026, passed by the learned Court below by directing that the respondent shall pay a monthly maintenance of Rs.25,000/- to the petitioner, but the same will be prospective as from the month of November, 2026.

6. With this modification in the order passed by the learned Court below, the present petition stands disposed of.

7. As prayed for by the learned Counsel for the petitioner, this order shall not come in the way of the petitioner in seeking enhancement of monthly maintenance, if subsequently need so arises. Pending miscellaneous application(s), if any, also stand disposed of accordingly.

(Ajay Mohan Goel)
Judge

(Yogesh Jaswal)
Judge

October 29, 2026
(Rishi)