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IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

Cr.Rev.(FC) No. 15 of 2025

Decided on: 28.10.2026

Smriti Kaundal .....Petitioner

Versus

Satish 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. Jeevan Kumar, Advocate.

For the respondent : Mr. Arsh Chauhan, Advocate.

Ajay Mohan Goel, Judge *(Oral)*

By way of this petition, the petitioner, who is the daughter of the respondent, has approached this Court feeling dissatisfied with the judgment dated 18.01.2024, passed by the learned Principal Judge, Family Court, Kangra at Dharamshala, in Case No. 144 of 2022, in terms whereof, in the petition preferred by the daughter (petitioner herein) under Section 125 of the Code of Criminal Procedure, the learned Court granted monthly maintenance to the tune of ₹10,000 in favour of the petitioner.

2. Mr. Jeevan Kumar, learned Counsel for the petitioner, has argued that the matrimonial discord between the parents has disturbed the life of the petitioner. He apprised the Court that as far

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

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as the mother of the petitioner and the present respondent are concerned, they have gone for a mutual divorce. He further submitted that as of now, there is no liability upon the respondent except to look after his only daughter, i.e. the present petitioner, who is 17 years old and is a student of class 10+2. He submitted that the amount of ₹10,000/- which has been awarded by the learned Court below is too meagre and the petitioner is not able to sustain herself in the said amount. Learned Counsel has further submitted that as the father of the petitioner is serving in the Indian Army and is getting a salary of more than ₹70,000 per month, the judgment passed by the learned Court below be modified by enhancing the monthly maintenance amount to ₹30,000 per month.

3. On the other hand, learned Counsel for the respondent has submitted that the maintenance awarded by the learned Court below calls for no interference for the reason that the same is reasonable and further the mother of the petitioner is also an earning hand, who is also contributing towards the maintenance of the petitioner. He further submitted that there are other dependents also who are to be looked after by the respondent and therefore, no enhancement is warranted. In the present circumstances.

4. Having heard learned Counsel for the parties and having

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perused the order under challenge as well as the pleadings, we are of the considered view that the order passed by the learned Court below requires some modification.

5. As it is not in dispute that the petitioner is the daughter of the respondent and further as the marriage between the parents of the petitioner stands dissolved by way of a mutual divorce, presently there is no liability on the father of the petitioner towards his former wife. A father cannot escape from the liability towards his daughter on the alleged ground that he has other responsibilities also. According to us, his first responsibility obviously is towards his child. In light of the fact that the petitioner is a teenager, who now obviously requires more reasonable maintenance allowance from her father to take care of her needs, including money for her personal needs as well as education needs etc., without any further ado, we dispose of this petition by modifying the order passed by the learned Court below with the direction that the amount of monthly maintenance fixed at ₹10,000 per month by the learned Court below is hereby enhanced to ₹20,000 per month on and with effect from 01.01.2026. As from the month of November 2026, the respondent shall pay monthly maintenance allowance of ₹20,000 per month to the petitioner till she is legally entitled to receive it. The arrears

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which are now payable to the petitioner on account of enhancement of the maintenance amount, shall be made good by the respondent within a period of three months from today.

Pending miscellaneous application(s), if any, also stand disposed of accordingly.

(Ajay Mohan Goel)
Judge

(Yogesh Jaswal)
Judge

October 28, 2026
(*narender*)