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IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

Cr.Rev.(FC) No.55 of 2026

Date of decision: 26.10.2026

Manish Kumar **…..Petitioner**

Versus

Chanchla Devi **…..Respondent**

Coram

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

Whether approved for reporting?[1] Yes

For the Petitioner **:** Mr. Naresh Kaul, Advocate.

For the Respondent **:** Mr. Prashant Sharma, Legal Aid Counsel.

Ajay Mohan Goel, Judge (Oral)

By way of this petition, the petitioner has assailed the order dated 25.04.2026, passed by the learned Additional Principal Judge-II, Family Court, Una, H.P. in Case No.45/2023, titled Chanchla Devi versus Manish Kumar, in terms whereof, the respondent herein has been granted a monthly maintenance of ₹4,000/- per month.

2. Learned counsel for the petitioner has argued that impugned order is per se perverse, for the reason that the present petitioner is serving as a Lab Attendant on a monthly salary of

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

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₹10,500/-, whereas the respondent herein is serving as a Matron and is earning more than ₹15,000/- per month. He submitted that as this extremely important aspect of the matter has been ignored by the learned Court below while granting the monthly maintenance, the present petition be allowed and the amount of maintenance be reduced from ₹4,000/- to ₹2,500/-.

3. On the other hand, learned counsel for the respondent has submitted that the amount of monthly maintenance awarded by the learned Court below is reasonable. Simply, because the respondent-wife is making her two ends meet by earning some partly amount does not absolve the present petitioner, who is the husband from providing her with maintenance as awarded in her favour by the learned Court below.

4. Having heard learned counsel for the parties and having perused the impugned order as well as other documents appended with the petition, we are of the considered view that the impugned order calls for no interference.

5. The petitioner being the husband is both under a moral as well as a legal obligation to lookafter his wife. The amount of ₹4,000/- which has been awarded by the learned Court below as monthly maintenance to be paid to the wife, by no stretch of imagination can be said to be an exorbitant amount.

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6. In fact, one finds that the contention of the present petitioner before the learned Court below while contesting the case for the grant of maintenance was that the wife was well qualified and had the knowledge of cutting and tailoring and was earning ₹15,000/- per month. Learned Court below disbelieved this contention on the ground that no evidence was placed on record by the husband to demonstrate this fact. Before us, Annexure P-1 has been placed by the petitioner herein which is information gained under the Right to Information Act, dated 07.03.2026, in terms whereof, it is mentioned that the respondent herein is posted as a Matron on contract basis on her name being sponsored by Jawahar Navodaya Vidyalaya, Pojewal @ ₹541/- per day.

7. Be that as it may, the impugned order is dated 25.04.2026. If this information was available to the present petitioner in the month of March, 2026, having been obtained under the Right to Information Act, nothing prevented him from placing the same before the learned Court below. Not only this, this information was provided to the petitioner on an application which was submitted by him as far back as in the month of March, 2025. Besides this, even a perusal of Annexure P-1 demonstrates that the wife was engaged as a Matron on contract basis on a daily pay of ₹541/- on her name being sponsored by Jawahar Navodaya Vidyalaya, Pojewal.

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8. The above demonstrates that there is no certainty attached with the said job of the respondent and simply on this count, we do not see any reason to interfere with the order passed by the learned Court below, in terms whereof, the monthly maintenance which has been awarded in favour of the wife is just ₹4,000/-. The contention of the learned counsel for the petitioner that it is not possible for him to pay ₹4,000/- out of his monthly salary of ₹10,500/- also does not convince us for the reason that is it is not the case of the petitioner that he is not a hale and hearty person and as he appears to be an educated person, it is for him to garner the means to lookafter his family, which obviously includes his wife.

9. Accordingly, in light of the above discussion as we do not find any merit in the present petition, the same is dismissed, so also pending miscellaneous application(s), if any.

(Ajay Mohan Goel)
Judge

(Yogesh Jaswal)
Judge

26th October, 2026.
(yogesh)