



RFA-153-2024

-1-

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

RFA-153-2024 (O&M)

Date of Decision: 19.01.2026

Jyoti and another

... Appellants

V/S

Lovely Thakral

... Respondent

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL
HON'BLE MRS. JUSTICE RAMESH KUMARI**

Present: Mr. Man Mohan, Advocate
for the appellants.

RAMESH KUMARI, J.

CM-497-C-I-2024

1. There is a delay of 21 days in re-filing the appeal.
2. In view of the reasons mentioned in the application, same is allowed.
3. Delay of 21 days in re-filing the appeal is condoned.

RFA-153-2024

4. The instant appeal has been filed against impugned order dated 16.11.2023 rendered in civil suit No. 30 instituted on 30.08.2019 vide which learned Additional Principal Judge, Family Court, Hisar, has partly allowed the petition under Sections 18, 20 and 23 of the Hindu Adoption and Maintenance Act, 1956 (hereinafter referred to as 'HAMA') and awarded monthly maintenance of Rs.1500 per month to appellant No.2, whereas the suit qua plaintiff No.1/appellant No.1 was dismissed.
5. Learned counsel for the appellants contended that learned trial Court failed to grant any maintenance to the appellant No.1/plaintiff No.1 and

***RFA-153-2024******-2-***

maintenance awarded to her child is meagre. She herself is entitled for maintenance because she does not have sufficient source of income to maintain herself. She is entitled to maintain the status, which she enjoyed before her separation from her husband/respondent and appellant No.2-her child is also entitled for enhanced maintenance.

6. The impugned judgment reveals that marriage of appellant No.1 with respondent was performed on 01.11.2016. The marriage was duly consummated and appellant No.2 was born out of their lawful wedlock. Appellant No.1 living separately from respondent because of her maltreatment and beatings.
7. Appellant No. 1 pleaded her salary as Rs.52,000/- per month being employee as Teacher in the Government Girls Senior Secondary School, Mangali. Respondent is also employed as Lecturer in Physics in Government Senior Secondary School, Barwala.
8. Appellant No.1 filed an affidavit regarding her assets and liabilities before learned trial Court, which reflects that she is getting salary of Rs.76,000/- per month. Learned trial Court rightly held that appellant did not specify how this amount of Rs.76000/- per month is inadequate for her monthly maintenance. The bank balance of Rs.10 Lacs or above was found in her bank account. During her cross examination also she has admitted giving heavy amount to her brother.
9. During the course of evidence, the respondent admitted his salary as Rs.1,15,814/-. He is spending Rs.16,000/- per month on medication of his parents and Rs.17,007/- is deducted as income tax, Rs.15,000/- is deducted towards GPF and Rs. 20,625/- as EMI. He is getting Rs.63,122/- as cash in hand. Appellant No.2 is student of O.P. Jindal Modern School, Hisar and his



RFA-153-2024

-3-

admission charges were Rs.57,860/-, tuition fee is Rs.7,500/- and transportation fee is Rs.2,600/-. The admission charges are only one time payment and he has to pay monthly tuition fee of Rs.7,500/-.

10. Considering the salary of appellant No.1 and respondent, learned trial Court has rightly directed to pay monthly maintenance of Rs.15,000/- per month to appellant No.2 and did not grant any maintenance to appellant No.1 because she has sufficient funds to maintain herself, out of which she is paying heavy amount to her brother also.
11. There is no illegality or irregularity in the impugned order. Appeal is hand is dismissed.

(GURVINDER SINGH GILL)
JUDGE

(RAMESH KUMARI)
JUDGE

19.01.2026
pooja saini

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No