



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR(F) No.1186 of 2025(O&M)

Date of Order:19.08.2025

Bachan alias Bachan Singh

.Petitioner

Versus

Sumitra alias Sumitra Devi

..Respondent

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Present: Mr. Himanshu Joshi, Advocate
for the petitioner.

SHALINI SINGH NAGPAL, JUDGE

CRM-32085 of 2025

1. For the reasons mentioned in the application, which is supported by an affidavit, the delay of 10 days in filing the revision petition is condoned.

2. CM stands disposed of.

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3. Order dated 30.04.2025, of learned Principal Judge, Family Court, Narnaul, has been challenged in this revision petition. Vide impugned order, learned Principal Judge, Family Court, awarded a sum of Rs.15,000/- per month to the respondent-wife as interim maintenance from the date of filing the main petition and Rs.11,000/- towards litigation expenses.

4. Learned counsel for the petitioner submits that petitioner was 86 years old, paralysed helpless man, whereas respondent-wife was 77 years old, being looked after by her both sons. He submitted that sons of the petitioner were siding with the respondent and refused to look after him.



Referring to the impugned order, he argued that learned Family Court assessed interim maintenance of Rs.15,000/- per month on the premise that petitioner was getting pension of Rs.42,750/- and was also owner of 2½ acres land in the village. He then referred to Annexure P-4, certificate of the Sarpanch, Village Kanti, on the lines that petitioner-Bachan Singh was physically unable to walk or move around and all his land and property were in possession of his three sons; that the agricultural land was cultivated by his sons.

5. The relationship of the parties is not in dispute. Though, the petitioner is 86 years old, it is undisputed that he has retired from the Indian Army and is earning pension of Rs.42750/- per month. Petitioner's own document, Annexure P-4 further reveals that the land in village Kanti indeed belongs to him, even though, the land is in possession of his sons.

6. Even though the petitioner is of advanced age, the same is true for the respondent-wife, who is unable to maintain herself. It is no answer to her claim of maintenance that she can seek support and maintenance from her sons. The husband, who has the financial capacity and income to support his wife is bound by law and morality to maintain her as long as she is alive. It is not the case that the respondent-wife is gainfully employed and can support herself. She has to be protected from a life of destitution and penury.

7. Considering the status in life of the parties, the reasonable wants of the wife including food, clothing, shelter, education, medical attendance treatment etc. and the income of the husband, who besides drawing good amount of pension, is also owner of 2½ acres land in village Kanti, award of



interim maintenance of Rs.15,000/- per month besides litigation expenses of Rs.11,000/- does not appear to be excessive. Rather, the interim maintenance has been assessed reasonably, commensurate to the status of the parties and there is no ground to interfere.

8. Dismissed.

9. All the pending miscellaneous applications, if any, stand disposed of.

(SHALINI SINGH NAGPAL)
JUDGE

19th August, 2025

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No