

2025:PHHC:123913



239.

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

CRR(F)-1581-2024 (O&M)

Date of decision: 10.09.2025

Ajay Kumar

.... Petitioner

Versus

Vijay Laxmi and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Ms. Sushma Chopra, Advocate, for the petitioner.

Mr. Parveen Chauhan, Advocate, for the respondents.

NAMIT KUMAR, J. (ORAL)

1. By way of present criminal revision petition, the petitioner has challenged the order dated 04.11.2024 passed by learned Additional Principal Judge, Family Court, Rewari, whereby, in a petition filed under Section 125 Cr.P.C., he has been directed to pay final maintenance of Rs.27,000/- per month to the respondents.

2. On 16.12.2024, while issuing notice of motion, the following order was passed:-

“The challenge in the present revision petition is to the order dated 04.11.2024 passed by learned Additional Principal Judge, Family Court, Rewari, whereby, in a petition filed under Section 125 Cr.P.C., the petitioner has been directed to pay final maintenance of Rs.27,000/- per month to the respondents to the extent of 1/3rd each.

Learned counsel for the petitioner, *inter alia*, submits that respondent No.1-wife is M.A., B.Ed and she has also done computer course. Previously she was working as a teacher for ten years. It is admitted that however she has given up her job for unknown reasons. Learned counsel for the petitioner submits that the petitioner has also filed a petition for getting custody of the two minor children/respondents No.2 and 3 herein, however, the matter is still pending adjudication. Learned counsel further submitted that the impugned order has wrongly been passed as it has been held that the petitioner has been earning Rs.2,00,000/- per month. It is submitted that during lock-down the salary of the petitioner had reduced. However, learned counsel for the petitioner, on instructions, submits that currently the petitioner is earning Rs.29,000/- per month. It is submitted that although this fact was brought to the knowledge of learned Family Court, however, the impugned order has been passed on the incorrect premise. Learned counsel for the petitioner further submits that the petitioner is not in arrears of any maintenance.

Notice of motion for 08.4.2025.

Learned counsel for the petitioner is directed to place on record the latest salary slip of the petitioner and an affidavit of the petitioner detailing therein all the moveable and immovable properties owned by him, his parents, his avocation and income from all sources, on or before the next date of hearing.

In the meantime, the petitioner shall pay Rs.20,000/- per month by way of maintenance to the respondents.”

3. Learned counsel for the respondents submits that neither affidavit on behalf of the petitioner detailing moveable and immovable

properties owned by him, his parents, his avocation and income from all sources, has been filed, nor the petitioner has paid Rs.20,000/- per month in terms of said order.

4. Learned counsel for the petitioner pleads no instructions from the petitioner.

5. In this view of the matter, present petition is dismissed for non-prosecution.

6. Pending applications, if any, shall also stand disposed of.

(NAMIT KUMAR)
JUDGE

September 10, 2025

sanjeev

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No