

Rs.10,000/- per month has been awarded as maintenance *pendente lite*, leading to the filing of the present revision petition.

3. I have heard learned counsel for the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is a salesman and his salary is Rs.10,000/- per month. He further submits that Rs.4,000/- per month has already been awarded as maintenance *pendente lite* to the respondent/wife and minor child in a petition under Section 125 Cr.P.C. He submits that under the circumstances, the maintenance amount of Rs.10,000/- awarded by the Court of learned Additional District Judge, Chandigarh is excessive.

5. I have considered the submissions made by learned counsel for the petitioner but find the same to be devoid of merit. Though the petitioner filed his affidavit showing his income, assets and liabilities before the Court concerned also, an affidavit has been filed before this Court as well but no Income Tax Returns have been furnished. Learned counsel submits that the petitioner is not an income tax payer. However, a perusal of the impugned order shows that some Income Tax Return pertaining to the petitioner was produced before the Court which depicted that the annual tax statement for the financial year 2021-2023 showed deduction of tax on the deposits made therein. Still further, the account statement showed heavy credit entries showing that the petitioner had invested amounts in some holdings. Not only this, the petitioner did not place on record any proof of his income in the form of salary slip etc.

6. On the other hand, the affidavit filed by the respondent/wife showed that she did not have any income and had to fend for not only herself but also for her minor child. Under the circumstances, the Court of learned Additional District Judge, Chandigarh awarded a sum of Rs.10,000/- per month as maintenance *pendente lite*. In the considered opinion of this Court, there is no illegality in the

said order. Being an able bodied person, the petitioner is bound to maintain his wife. The Court of learned Additional District Judge, Chandigarh also ordered that any other amount being paid as maintenance was liable to be adjusted or set off from the maintenance amount granted in the present case. I do not find any illegality, whatsoever, in the impugned order warranting interference.

In view of the aforementioned facts and circumstances, I do not find any merit in the present revision petition and the same is accordingly dismissed.

(VIKRAM AGGARWAL)
JUDGE

24.03.2025

Prince Chawla

Whether speaking/reasoned : *Yes/No.*

Whether reportable : *Yes/No.*