



**118**  
**IN THE HIGH COURT OF PUNJAB AND HARYANA AT**  
**CHANDIGARH**

**CRR(F)-580-2025 (O&M)**  
**Date of Decision: 28.04.2025**

**Karnail Kaur**

....Petitioner(s)

Versus

**Buta Singh**

.....Respondent(s)

**CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI**

Present: Mr. Dhiraj Jindal, Advocate, for the petitioner.

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**JASGURPREET SINGH PURI, J. (Oral)**

1. The present revision petition has been filed challenging the impugned order dated 03.01.2025 passed by the learned Principal Judge, Family Court, Ludhiana Camp Court at Khanna whereby interim maintenance has been declined to the petitioner.

2. Learned counsel appearing on behalf of the petitioner submitted that the petitioner is a lady of the age of about 63 years and she filed a petition under Section 125 of the Code of Criminal Procedure for the grant of maintenance and also an application for the grant of interim maintenance which has been declined by the learned Judge, Family Court and therefore, the impugned order is liable to be set aside. He submitted that the petitioner was working as a Staff Nurse in Punjab Health Department and she although was earning and residing in her parental house but her income from pension is Rs.36,801/- per month from July, 2021 to February, 2023 and Rs. 49,674/-



per month from 01.03.2023 but her expenditure is more than that i.e. about Rs. 50,000/- per month and she has a son who was born out of the wedlock who is also staying with her and is not employed and therefore, she has to maintain her son also, whereas the respondent-husband was having large income because he is working as Lower Division Clerk in PSPCL and his salary is about Rs. 52,000/- per month and apart from the above, he is also receiving pension from the Indian Army to the tune of Rs 39,322/- per month and also an amount of Rs. 1,80,000/- per annum as chakota from agricultural land and therefore, the petitioner was entitled for the grant of interim maintenance which has been erroneously declined by the learned Judge, Family Court.

3. I have heard the learned counsel for the petitioner.

4. The petitioner is the wife and is a retired lady of the age of 63 years and has challenged the order passed by the learned Principal Judge, Family Court, Ludhiana vide which the application for grant of interim maintenance was declined. A perusal of the aforesaid impugned order would show that both the husband and wife had been working and drawing respective salaries. So far as the respondent-husband is concerned, he is a Lower Division Clerk and getting a salary of Rs. 52,004/- per month, Rs. 39,322/- per month as pension from the Indian Army and Rs. 1,80,000/- per annum as chakota from agricultural land. The marriage between the parties is not in dispute and both the parties have filed their respective income affidavits before the Family Court.

5. So far as the petitioner-wife is concerned, she retired from Government service and she also filed her income affidavit wherein she



revealed that she in the form of pension has a monthly income of Rs. 36,801/- from July 2021 to February, 2023 and from 01.03.2023 her monthly pension was Rs. 49,674/-. She has further disclosed that she is having an FDR to the tune of Rs. 45 lacs and her interest income from the aforesaid FDR is Rs. 2,50,000/- per annum and she is incurring total expenditure of Rs. 66,340/- per month.

6. Learned Judge, Family Court after considering the income drawn by both the parties came to the conclusion that for the purpose of considering the grant or non-grant of interim maintenance, it is clear that the petitioner-wife was drawing a pension and is having annual interest income from the aforesaid FDR as aforesaid i.e. Rs.49,674/- per month as pension and Rs. 2,50,000/- per annum as interest income. It was therefore observed that it cannot be said that the petitioner-wife is not able to maintain herself within the ambit of Section 125 Cr.P.C and therefore, no interim maintenance was granted. The argument which was raised by the learned counsel for the petitioner-wife that she also has her major son living with her also cannot become a ground for grant of interim maintenance for fixing liability towards the husband because no such maintenance can be granted to a major son within the ambit of Section 125 Cr.P.C.

6. After hearing the learned counsel for the petitioner, this Court is of the considered view that the scope of a Revision Petition is very limited and that too when a Revision has been filed against an order by which interim maintenance has been denied. The interim maintenance has been declined on reasonable and cogent reasons and within the ambit of Section 125 Cr.P.C since the learned Principal Judge, Family Court, Ludhiana was



satisfied that it was not a case where the petitioner-wife was unable to maintain herself. This Court does not find any illegality or perversity in the impugned order.

7. Consequently, the present revision petition is dismissed.

**(JASGURPREET SINGH PURI)**  
**JUDGE**

**28.04.2025**  
rakesh

Whether speaking/reasoned : Yes/No  
Whether reportable : Yes/No