

**IN THE COURT OF HARISH ANAND,
ADDITIONAL PRINCIPAL JUDGE, FAMILY COURT,
CAMP COURT, NABHA.
(UID : PB0139)**

In RE :

CNR No	PBPTF30000152019
CIS No	MNT/00001/2019
Instituted on	05.02.2018
Pending for	05.09.2019

In the matter of :

1. Tania Raheja @ Phulan Rani, aged about 33 years
wife of Naresh Kumar Raheja,
daughter of Parma Nand,
2. Kajal, minor daughter of
Naresh Kumar Raheja through her mother
Tania Raheja, (Petitioner no.1)
and next friend
resident of H.No.38,
Bonian Street, Mehas Gate,
Nabha, District Patiala.

...Petitioners

Versus

Naresh Kumar Raheja,
son of Sham Lal Raheja
resident of H.No.51-52/1,
Arorian Mohalla, Patiala.

...Respondent

**Application for grant of interim maintenance and
litigation expenses to the petitioner and her minor Jasmine.**

Present : Petitioner with counsel Sh.Ravindra Kumar, Advocate as Amicus
 Curiae.
 Respondent with counsel Sh.HD Dutt, Advocate as Amicus
 Curiae.

ORDER :

1. This order shall dispose of an application for grant of interim maintenance and litigation expenses to the petitioner and her minor daughter.
2. It has pleaded that the petitioner no.1 is legally wedded wife of the respondent and petitioner no.2 is the minor adopted daughter of respondent and she had filed a petition under Section 125 Cr.P.C for grant of maintenance. It has further pleaded that petitioner no.1 has no source of income and she is middle standard passed. She can not to earn her livelihood and to maintain herself and her minor daughter. The respondent and his family has four shops out of which in two shops, respondent and his father is running Karyana business, whereas one shop has given on rent. The respondent has also bank balance in the State Bank of India and he is income tax assessee. She further pleaded that respondent is also running the business of sale purchase of properties and also doing the business of wood with his uncle Chaman Lal. From all the sources, respondent is earning Rs.1,00,000/- per month. Accordingly, prayer is made for grant of interim maintenance to the tune of Rs.10,000/- each per month.
3. In reply, whereas relation between the parties and adoption of child is admitted, however, it is denied that petitioner No.1 has no source of income. It is also denied that respondent and his family has four shops and in two shops, the respondent and his father is running Karyana business. It is also denied that one shop has given on rent and respondent has also bank balance in State Bank of India. It is also denied that respondent is income tax assessee and is running the business of sale and purchase of properties. It is also denied that

respondent is doing the business of wood with Uncle Chaman Lal and respondent is earning Rs.1,00,000/- per month. It is pleaded that the petitioner no.1 is doing the work of stitching and is earning more than Rs.15,000/- per month. The respondent is a poor laborer and has no movable and immovable property in his name. He earns Rs.6,000/- per month and out of which he is looking his two minor children namely Akshay Raheja and Mohit Raheja. He further pleaded that petitioner No.1 willfully left the society of the respondent. The other averments have also been denied as incorrect.

4. During arguments, the counsels for the parties have made submissions in line with the averments of the application and reply filed thereto.
5. It may mentioned here even though it is argued by the respondent that respondent is a poor laborer and he has no movable and immovable property in his name. He earns only Rs.6,000/- per month, out of which he has to look after his two minor children namely Akshay Raheja and Mohit Raheja that in itself does not means that the respondent is not to provide the other necessities like food, clothing and shelter to the petitioners. Being so, it being the bounden duty of the respondent to maintain his wife and daughter. The legislation in its wisdom enacted this provision to avoid vagrancy of the such like petitioners. It is deemed appropriate that respondent be directed to pay the educational expenses of petitioner No.2 and in addition thereto, respondent is directed to pay a sum of Rs.2000/- per month to petitioner No.1 and a sum of Rs.1500/-per month to petitioner No.2. The amount of interim maintenance shall

be payable from the date of filing the present application.

Application is disposed of accordingly.

6. Nothing said herein-above shall have any bearing on the merits of the case.

Pronounced :
May 16, 2019
Harpreet Singh
Direct Dictation.

(HARISH ANAND)
Additional Principal Judge,
Family Court, Camp Court, Nabha
UID no.PB0139