

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Revision No.1312 of 2015
Date of decision: 24.02.2015

Simarpal Singh

....Petitioner

Versus

Parminder Kaur

...Respondent

CORAM: HON'BLE MR.JUSTICE G.S.SANDHAWALIA

Present: Mr. Rahul Jain, Advocate for the petitioner.

G.S.Sandhawalia J.(Oral)

The argument raised by counsel for the petitioner is that by order passed under the Protection of Women from Domestic Violence Act, 2005 (hereinafter referred to as "the Act") on 5.10.2013 (Annexure P/1) a sum of ₹ 8,000/- was granted as interim maintenance against the petitioner and his family members and another sum of ₹ 5,000/- was to be paid as rent to the respondent-wife.

By virtue of impugned order dated 18.11.2014 (Annexure P/3) passed by the Addl. District Judge, Kurukshetra, a sum of ₹ 5,000/- has been awarded as maintenance pendente-lite including a sum of ₹ 5,000/- as litigation expenses which is now the subject matter of challenge. It is further contended that the appeal against the order dated 5.10.2013 (Annexure P/1) under Act is pending before the same Court which has now passed the impugned order.

From perusal of the paper-book and the impugned order dated 18.11.2014 (Annexure P/3), it does not transpire that factum of a sum of ₹ 13,000/- which had already been awarded to the respondent-wife in different set of proceedings was brought to the notice of the Court below. If that is so, the petitioner is at liberty to approach the trial Court by filing an appropriate application for bringing the said fact to the notice of the Court below.

With the aforesaid observations, the present revision petition is disposed off.

24.02.2015
Pka

(G.S.SANDHAWALIA)
JUDGE