

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

(258)

**CR No.2656 of 2015
Decided on: July 21, 2015.**

Jennifer Karma

.... Petitioner

Versus

Gurbinder Singh

..... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

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

Mr. Rajiv Joshi, Advocate,
for the respondent.

M.M.S. BEDI, J (ORAL)

This is a revision petition under Article 227 of the Constitution of India filed by petitioner-wife aggrieved by an order passed by learned Additional District Judge, Jalandhar, allowing the application under Section 24 of the Hindu Marriage Act, granting interim maintenance @ Rs.8,000/- per month from the date of application besides a sum of ₹5,000/- as litigation expenses.

The respondent-husband has also filed a revision petition for setting aside of the impugned order which has been dismissed vide separate order.

Learned counsel for the petitioner has submitted that a sum of ₹8,000/- per month is highly inadequate and that the Court below has ignored this fact that the petitioner has to come from U.K. on each date of hearing to contest the divorce petition filed by the petitioner. The petitioner

seeks enhancement of the interim maintenance as well as the litigation expenses.

It is a fact that the petitioner is a citizen of U.K. and is residing in U.K and she is required to contest this petition by coming to India.

Learned counsel for the respondent has submitted that the respondent, being unemployed, having no source of income, is not capable of paying any interim maintenance or litigation expenses.

I have considered the facts and circumstances of the case and I am of the opinion that in view of dismissal of revision petition filed by the respondent-husband regarding interim maintenance @ ₹8,000/- per month and a direction for disposal of the case within a period of six months, having been ordered in the second revision petition, the scope of interference in the present revision petition for enhancement of the maintenance pendente lite is meager but so far as the litigation expenses awarded by the trial Court @ ₹5,000/- are concerned, it is held that it is highly inadequate and the trial Court has ignored the circumstances mentioned herein above. It is accordingly ordered that the petitioner would be entitled to litigation expenses of ₹1 lac to be paid in four equal installments i.e. ₹25,000/- on each date of hearing. The said amount will be considered to be a contribution of the respondent-husband towards the traveling and other litigation expenses. In case the amount is not paid by the respondent, it will be open to the trial Court to proceed in accordance with law.

Disposed of.

(M.M.S. BEDI)
JUDGE

July 21, 2015
harsha