

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

Civil Revision No.2968 of 2015
Date of Decision: December 18, 2015

Rajni Mittal

...Petitioner

Versus

Suresh Mittal

...Respondent

CORAM: HON'BLE MR.JUSTICE AMIT RAWAL, JUDGE

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr.Vikram Singh, Advocate,
for the petitioner.

Mr.Akshay Jindal, Advocate,
for the respondent.

AMIT RAWAL, J. (Oral)

Petitioner-wife is aggrieved of the order dated 1.12.2014 (Annexure P-4), whereby the application filed under Section 24 of the Hindu Marriage Act seeking maintenance pendente lite has been allowed and an amount of ₹10,000/- per month has been awarded over and above the litigation expenses of ₹20,000/-.

Mr.Vikram Singh, learned counsel appearing on behalf of the petitioner-wife submits that the respondent-husband is a rice miller and exporter and, therefore, the maintenance pendente lite has not been awarded as per the status. There are three grown up children, who are living with the mother and one child is student of Engineering College. It is very difficult to make the both ends meet.

Mr.Akshay Jindal, learned counsel appearing on behalf of the

respondent submits that no evidence has been produced on record in support of the application to show that the respondent is a rice miller and exporter, much less any proof of the income. The trial Court, on the basis of the affidavit, assessed the maintenance pendente lite.

I have heard the learned counsel for the parties and appraised the paper book and am of the view that the maintenance pendente lite awarded to the petitioner-wife is fair and just. In case, the wife is aggrieved of the non-payment of maintenance to the children, they would be at liberty to seek maintenance in accordance with law and not by invoking the provisions of Section 24 of the Hindu Marriage Act. No evidence has been produced on record to show the income higher than assessed by the trial Court. In the absence of the evidence, the trial Court had no occasion but to assess the income as per the pleadings in the affidavit.

I do not intend to interfere with the impugned order. There is no merit in the revision petition. The same is accordingly dismissed.

December 18, 2015
ramesh

(AMIT RAWAL)
JUDGE