

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
230 **Civil Revision No.3649 of 2014**
Date of Decision:07.05.2015

Anita **.....Petitioner**

Versus

Om Parkash **.....Respondent**

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

Present: Mr.Kulvir Narwal, Advocate,
for the petitioner.

Mr.Jagbir Singh, Advocate,
for the respondent.

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

Vide impugned order dated 05.05.2014(Annexure P-6), the petitioner-wife has been awarded maintenance pendente lite @ Rs.10,000/- per month along with litigation expenses of Rs.1100/-. Besides it, a direction is given to the respondent-husband, to pay all the requisite education expenses of his daughter, who is at present staying with the petitioner.

Counsel for the petitioner-wife has challenged the said order on the ground that the amount awarded to her is inadequate and the respondent-husband is earning Rs.61,000/- per month being an Ayurvedic Medical Officer, employed with the State Government.

Counsel for the respondent states that he has filed a petition for custody of the child.

After hearing the counsel for both the sides, I am of the

considered opinion that the amount awarded to the petitioner-wife as maintenance pendente lite @ Rs.10,000/-, though inadequate, does not warrant any further enhancement in the revision petition. However, the amount of litigation expenses awarded @ Rs.1100/- is highly inadequate. It is ordered that the said portion of the order is set aside and it is ordered that the respondent-husband will pay litigation expenses of Rs.33,000/- to enable the petitioner-wife, to contest the divorce petition filed by the respondent-husband. The amount will be paid on the next date of hearing before the trial Court.

So far as, education expenses awarded for the daughter are concerned, though the benefit has been given for the daughter under Section 24 of the Hindu Marriage Act, but the relief given is vague as no amount has been specified. On the basis of estimation, taking into consideration the cost of education existing as today, the petitioner-wife deserves to be granted minimum sum of Rs.7,000/- per month for the expenses of education of the daughter born out of the wedlock of the petitioner and the respondent. This amount will be payable w.e.f. the date of application filed under Section 24 of the Hindu Marriage Act. If any amount has already been paid towards the education expenses, that will be deductible from the amount assessed by this Court.

Anything said in this order will not prejudice the rights of the daughter, Tanishta, to claim maintenance under other provisions of law.

The revision petition is disposed of accordingly.

May 07, 2015
seema

(M.M.S. BEDI)
JUDGE