IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CR No.593 of 2015 (O&M)
Date of Decision: 27.01.2015

Rajender Singh

...Petitioner

Versus

Neelam

...Respondent

CORAM: HON'BLE MR.JUSTICE R.P. NAGRATH

1. *Whether Reporters of the 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. Raman Chawla, Advocate
for the petitioner.

R.P. Nagrath, J.

The petitioner seeks to challenge the order dated 28.10.2014 (Annexure P-1) passed by the Matrimonial Court under Section 24 of the Hindu Marriage Act, 1956 (for short to be referred as 'the Act') awarding ₹ 4,000/- per month as maintenance pendente lite in favour of respondent and also directing the petitioner to pay ₹ 5,500/- as litigation expenses. The payment of maintenance pendente lite was to take effect from the date of filing the application under Section 24 of the Act.

The petitioner has sought dissolution of marriage under Section 13 (i) (ia) (ib) of the Act. On appearance, respondent filed an application under Section 24 of the Act. It was stated that petitioner is an agriculturist owning about 20 acres of land and earns ₹ 40,000/-

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per month. The petitioner in reply to the application stated that respondent is an earning hand being engaged in work of stitching and embroidery.

I have heard learned counsel for the petitioner and perused the impugned order.

Marriage between the parties was solemnised on 26.02.2012 and a child was born out of the wedlock on 26.05.2013. It is not the version of petitioner that child is in his care and custody. There was no material produced before the Matrimonial Court by the petitioner for suggesting that respondent-wife was a working lady.

Learned counsel for the petitioner contended that the respondent has not placed on record any documentary evidence in support of the fact that petitioner owns any agricultural land and it was in fact pleaded by the petitioner that he was only a casual labourer. I am of the view that due to high cost of living, fixation of the amount of ₹ 4,000/- per month as maintenance pendente lite is rather on the lower side, for which there is hardly any scope of interference.

The petitioner is an able bodied person and is bound to earn money for maintenance of his wife and to pay the small amount of litigation expenses during pendency of the divorce petition.

There is no merit in the instant petition.

Dismissed.

(R.P. Nagrath)
Judge

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