

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

Civil Revision No.6296 of 2014

Date of decision: 07.05.2015

Ranjit Kaur

... Petitioner

versus

Sukhpal Singh

.... Respondent

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Abhishek Arora, Advocate,
for the petitioner.

Mr.P.K.S.Phoolka, Advocate,
for the respondent.

K.Kannan, J. (Oral)

1. The petition under Section 24 of the Hindu Marriage Act was dismissed by the matrimonial court on an observation that the wife had not disclosed the maintenance awarded by the magistrate under the proceedings of the Criminal Procedure Code. It appears that initially the maintenance at ₹1,500/- was granted in a petition filed under Section 125 on 14.06.2008 and it was enhanced to ₹4,000/- on 21.11.2013. The contention is that the husband is paying only the maintenance which was originally ordered and has not paid the enhanced maintenance of ₹4,000/-. The petitioner could have had the appropriate remedy before the magistrate court itself but if he has sought for the direction under the matrimonial court, I

only reiterate the order assessed by the magistrate providing for enhancement to ₹4,000/- as the interim maintenance filed by the wife during the pendency of matrimonial proceedings. The court shall ensure that the maintenance @ ₹4,000/- is paid from 21.11.2013 and any amount paid lesser than that amount shall be adjusted and the balance of amount is directed to be paid within 2 months from today. The petitioner may apply to the court for stay of trial of the petition or for dismissal of the petition filed by the husband if the directions for maintenance is not complied with. The petitioner will also have litigation expenses of ₹10,000/- against the husband before the court below and additional ₹5,000/- for the petition before this court.

2. The civil revision is disposed of with the above directions.

(K.KANNAN)
JUDGE

07.05.2015
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