

119.

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

Civil Revision No.6672 of 2015 (O&M)

Date of decision: 20.10.2015

Gurpreet Singh

... Petitioner

versus

Amandeep

.... Respondent

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Mohit Sadana, Advocate,
for the petitioner.

K.Kannan, J. (Oral)

1. In a matrimonial proceeding, the wife has applied for grant of maintenance and the court has awarded ₹ 8,000/-. The court, while passing the order, has observed that the husband was working as a Senior Sales Manager with DLF Life Insurance and though he was not any longer in the said employment, the wife is hard put to maintain herself and daughter. The court has observed that the actual income of the husband could not be verified and taking note of the realities of life, it would be essential to provide for ₹5,000/- as maintenance for the wife and ₹3,000/- as maintenance for the daughter. The counsel says that it is not possible to make the payment and if she was already getting maintenance under Section 125 Cr.P.C., the judgment in **Smt. Sonia Versus Om Parkash-2010**

(2) RCR (Civil) 160 lays down that if she has already obtained maintenance, there is no prayer for claiming again under Section 24. There is no warrant for application of this principle, for, the court has not stated that the husband is bound to pay more than ₹8,000/-.

2. I clarify that the amount of ₹8,000/- is all that the husband is required to pay now either in Domestic Violence Act or interim maintenance under Section 24 or any other application under Section 125 Cr.P.C. Payment made in any of them will discharge payment in another.

3. With this clarification, the revision petition is dismissed.

(K.KANNAN)
JUDGE

20.10.2015
sanjeev