

In the High Court of Punjab and Haryana at Chandigarh

**Civil Revision No. 6484 of 2014
Date of Decision: 01.5.2015.**

Jandeepinder Singh

.....Petitioner

Versus

Maninder Kaur

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. P.S.Dhaliwal, Advocate
for the petitioner.

Mr. Dilpreet Singh, Advocate
for the respondent.

SABINA, J.

Petitioner has filed this petition under Article 227 of Constitution of India challenging the order dated 17.7.2014 (Annexure P-4) whereby application moved by the respondent under Section 24 of the Hindu Marriage Act, 1955 ('Act' for short), was allowed.

I have heard the learned counsel for the parties and have gone through the record available on the file carefully.

Petitioner has filed petition under Section 13 of the Act seeking dissolution of marriage between the parties by way of a decree of divorce. During the pendency of the petition, respondent moved an application for maintenance *pendente lite*. The learned

Trial Court while assessing the income of the petitioner, has taken in consideration the fact that the petitioner is running a flour mill and must be earning ₹ 20,000/- per month. It has been further noticed by the Trial Court that the petitioner must be earning a sum of ₹ 7,000/- per month from the immovable property owned by him. At this stage, there is no material on record to the contrary. Hence, the maintenance *pendente lite* assessed by the Trial Court at the rate of ₹ 6,000/- per month to the respondent, cannot be said to be on a higher side in these days of high prices.

Hence, the impugned order calls for no interference.

Annexure P-2 is the order passed in an application under Section 125 of the Code of Criminal Procedure, 1973 whereby respondent was granted maintenance to the tune of ₹ 1,000/- per month.

It is clarified that the respondent would be entitled to receive maintenance *pendente lite* at the rate of ₹ 6,000/- per month, in all, as the amount of maintenance, granted vide order dated 4.8.2014 (Annexure P-2), is liable to be adjusted in the maintenance *pendente lite*, granted by the Trial Court vide the impugned order dated 17.7.2014 (Annexure P-4).

Petition stands disposed of accordingly.

**(SABINA)
JUDGE**

May 01, 2015
Gurpreet