

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

(236)

**CR No.7873 of 2014 (O&M)
Decided on: July 21, 2015.**

Gurbinder Singh Gill

.... Petitioner

Versus

Jennifer Karma

..... Respondent

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

Present: Mr. Rajiv Joshi, Advocate,
for the petitioner.

Mr. Rahul Bhargva, Advocate,
for the respondent.

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

Reply filed on behalf of the respondent is taken on record.

Petitioner-husband has questioned the legality of the order dated 28.10.2014 granting interim maintenance @ ₹8,000/- per month to the respondent-wife w.e.f the date of application besides litigation expenses of ₹5,000/- on her application under Section 24 of the Hindu Marriage Act, in the divorce proceedings initiated by petitioner-husband at Jalandhar.

The petitioner claims that the respondent is in her capacity to earn and that she is employed in U.K and being woman of immense means, she is not entitled to got maintenance pendente lite. It is also alleged that she has been receiving unemployment allowances from the U.K.Government.

I have heard learned counsel for the petitioner as well as learned counsel for the respondent.

It has been argued on behalf of the responding-wife that she has sent her entire earnings from U.K to the petitioner which had been consumed by him in purchasing the property in India in his name and after having duped her the petitioner wants to get rid of her by filing a divorce petition.

Without commenting on the conduct of the parties, I am of the considered opinion that despite the petitioner is getting some unemployment allowance being citizen of U.K., she cannot be deprived of the litigation expenses and maintenance pendente lite which in this case has been assessed at ₹8,000/- per month. The said amount is bare minimum required for survival and maintenance.

No ground is made out for interference in the impugned order especially when the petitioner has not complied with the interim directions passed by this Court to pay the interim maintenance @ ₹4,000/- per month w.e.f the date of application. The bona fide of the petitioner appears to be doubtful.

This petition is dismissed. The trial Court, however, is directed to decide the case expeditiously within a period of six months in accordance with the provisions of Section 21-B(2) of the Hindu Marriage Act by giving fair opportunity to both the parties to prove their claims in accordance with law.

(M.M.S. BEDI)
JUDGE

July 21, 2015
harsha