

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

CR No. 8357 of 2015

Date of decision : December 9, 2015

Sanjay Aswal

..... Petitioner

Versus

Neetu Chauhan @ Sonakshi and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. Anmol Rattan Sidhu, Senior Advocate with
Mr. Suvir Sidhu, Advocate and
Mr. Raghav Gulati, Advocate
for the petitioner.

1. Whether reporters of 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?

Amit Rawal, J (oral).

The petitioner-husband is aggrieved of the order dated 1.10.2015 whereby the application filed by the respondents seeking maintenance pendente lite has been allowed and a sum of ₹40,000/- per month and ₹1 lac as litigation expenses has been awarded.

Mr. Anmol Rattan Sidhu, learned Senior counsel assisted by Mr. Suvir Sidhu, Advocate submits that divorce petition originally was filed in Jaipur (Rajasthan) but the same was transferred to Panchkula Court. Earlier wife did not appear before the court and she was proceeded ex-parte, thereafter she moved an

application which was contested but for one reason or the other the petitioner-husband has not been cross-examined despite having tendered evidence in examination-in-chief, thus, delaying the matter in order to take benefit of the maintenance pendente lite.

He further submits that maintenance pendente lite is phenomenal and is not in consonance with the income of the petitioner whereas the respondent is an educated lady and her family is having a political background.

I have heard learned Senior counsel for the petitioner and appraised the paper book.

Viz-a-viz the maintenance pendente lite to the tune of ₹40,000/-and litigation expenses as ₹1 lac, I am of the view that the trial court has passed the order keeping in view the evidence placed on record, two daughters and financial status of the parties.

In view of the above, I do not intend to differ with the same and the impugned order is upheld.

However, since the maintenance pendente lite is quite high and as per the contentions of the learned counsel for the petitioner-husband that wife is not coming forward through her counsel for cross examining the petitioner in respect of the petition filed under Section 13 of the Hindu Marriage Act, 1955 and unnecessarily the trial of the divorce petition is protracted and taking the benefit of the interim order, I am of the view that such an action on the part of the respondents could not go unnoticed by the court below, the trial court is thus, directed to expedite the trial of the divorce petition and decide the same as expeditiously as possible,

preferably within a period of six months from the date of receipt of certified copy of this order.

The civil revision is disposed of.

(AMIT RAWAL)
JUDGE

December 9, 2015
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