

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

**CR No.8177 of 2014
Date of decision:19.11.2015**

Amarjit Kaur

... Petitioner

Vs.

Harpreet Singh

... Respondent

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

1. Whether reporters of local newspapers may be allowed to see judgment?
2. To be referred to reporters or not?
3. Whether the judgment should be reported in the Digest?

Present:- Mr. Ravi Malhotra, Advocate
for the petitioner.

Mr. Antej Singh Barnala, Advocate
for the respondent.

AMIT RAWAL J. (Oral)

Challenge in the present petition is to the impugned order dated 04.11.2014, whereby, the application filed by the petitioner-wife claiming maintenance pendente lite and litigation expenses under Section 24 of the Hindu Marriage Act, 1955, has been allowed and the respondent-husband has been directed to pay a sum of ₹5,500/- per month as maintenance pendente lite and ₹5,000/- as litigation expenses.

Mr. Ravi Malhotra, learned counsel appearing on behalf of the petitioner-wife submits that there is a categoric averment that respondent-husband is running a factory under the name and style

M/s Dev Engineering Works Private Limited and as per Annexure P-4, company profile, there are 26-50 workers working in the aforesaid company and he has a Skoda Rapid Car. Both the minor children aged 7 and 9 years boys are living with the petitioner and she has to sustain day-to-day and school expenses, therefore, compensation awarded is too meagre.

Mr. A.S.Barnala, learned counsel appearing on behalf of the respondent-husband submits that income tax return filed before the Court below would reveal that husband is earning a sum of ₹3,29,740/- per annum which comes to ₹27,478/- per month. The wife along with two children had been staying in the rented accommodation and the entire rent has been paid by the respondent-husband and this fact has been rebutted by learned counsel for the petitioner on the premise that husband has stopped making payment of rent, therefore, the petitioner along with her children had been thrown out from the rented premises and therefore, the petitioner along with her minor children moved to her parents' house.

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

In my view, a sum of ₹ 5,500/- awarded to the petitioner along with two children as maintenance pendente lite is too meagre. Keeping in view the income of the respondent-husband, maintenance charges is enhanced from ₹ 5,500/- to ₹ 10,000/- per month and litigation expenses from ₹ 5,000/- to ₹ 11,000/- by taking into

consideration the income of the respondent as ₹ 27,478/- per month.

Accordingly, the impugned order is modified and the maintenance charges is increased from ₹ 5,500/- to ₹ 10,000/- per month from the date of application and litigation expenses from ₹ 5,000/- to ₹ 11,000/-. Respondent-husband is directed to make payment of the arrears, much less, difference, if any, within a period of one month from the date of receipt of certified copy of this order, failing which, petitioner-wife is at liberty to seek execution of the same in accordance with law.

Civil Revision is accordingly allowed.

(AMIT RAWAL)
JUDGE

November 19, 2015
savita