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

CRR (F) No.2 of 2015 (O&M)

Date of decision: January 07, 2015

Vijay Hooda

.....Petitioner

Versus

Rekha

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Nishant Raj, Advocate
for the petitioner.

SABINA, J

Petitioner has filed this petition challenging the order dated 12.11.2014 whereby petitioner was directed to pay interim maintenance to the tune of ₹8,000/- per month to the respondent.

Learned counsel for the petitioner has submitted that petitioner was not employed with Hindustan Liver Company and was presently unemployed.

Impugned order reads as under:-

"The parties are present in person.

Reconciliation efforts have been made for quite sometime but no effect.

Today, the case is fixed for payment of litigation expenses by the respondent as well as for filing written statement and reply to the application for interim maintenance by him.

However, the same has not been done by the respondent and a date is requested, which is vehemently opposed.

The learned counsel for the petitioner insists that at the outset, the petitioner may be awarded interim

maintenance till disposal of the application for interim maintenance as she is starving and has no source of livelihood.

The respondent is started to be a National Level Football player and he is alleged to be having a salary of Rs.40,000/- per month from Hindustan Lever Company and that he is also having agricultural income in Village Basantpur, District Rohtak.

Heard.

As an interim measure, the respondent is directed to pay interim maintenance of Rs.8,000/- per month to the petitioner from the date of filing of the application for interim maintenance, i.e. 26.11.2013.

It is made clear that the said maintenance amount has been fixed as a temporary measure and the same shall be subject to variation at the time of deciding the application for interim maintenance.

Now to come up on 7.1.2015 for making the payment of temporary interim maintenance and litigation expenses by the respondent as well as for filing written statement and reply to the application for interim maintenance by him.

Last opportunity.”

A perusal of the impugned order shows that petitioner had failed to file reply to the application for interim maintenance. The Court has allowed interim maintenance to the respondent vide impugned order and it has been specifically observed that the said amount was fixed as temporary measure and would be subject to variation at the time of deciding the application qua interim maintenance.

Since vide impugned order, interim maintenance has been allowed to the respondent only by way of temporary

measure to enable her to maintain herself during the pendency of the petition and the same would be subject to variation at the time of deciding the application for interim maintenance, no ground for interference by this Court, at this stage, is made out.

Dismissed.

**(SABINA)
JUDGE**

January 07, 2015

m.singh