

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

**CWP No.10457 of 2014 (O&M)
Date of decision: November 5,2015**

Navleen Kaur

...Petitioner

Versus

State of Punjab and ors.

...Respondents

CORAM:HON'BLE MR.JUSTICE HARINDER SINGH SIDHU

--

Present: - Mr. Ramandeep Partap Singh, Advocate
for the petitioner.
Mr. Neeraj Yadav, AAG, Punjab
Mr. Karambir Singh Kahlon, Advocate
for respondent No.4.

-

HARINDER SINGH SIDHU, J.

CM-14733-CWP of 2015

Miscellaneous application is allowed.

Reply alongwith Annexures R-4/1 and R-4/2 is
taken on record subject to all just exceptions.

CWP 10457 of 2014

By filing the writ petition, the petitioner, who is a
minor daughter of respondent No.4, has prayed for
directions to the official respondents for payment of
maintenance amounting to Rs.40,000/- per month out of
the the salary of her father.

The marriage of the mother of the petitioner with
respondent No.4 was solemnized on 13.12.1996 and out
of the wedlock, petitioner was born on 16.09.1997. Due to
the differences between the parents of the petitioner, lot of

litigation ensued. Due to intervention of respectables they parted from each other by getting a decree of divorce with mutual consent which is annexed as Annexure P-3.

It is contended on behalf of the petitioner that when the decree of divorce was passed u/s 13-B of the Hindu Marriage Act 1956, the rights of the petitioner were not determined. Hence, the petitioner has right to claim maintenance from respondent No.4.

Respondent No.4 has filed the detailed reply denying his liability.

Learned counsel for the parties are agreed that the rights of the petitioner can only be finally determined after the matter is adjudicated in proper proceedings as per law and an arrangement for interim maintenance be worked out till such time as the rights of the parties are determined in accordance with law.

In view of the above, it is agreed that an amount of Rs.10,000/-per month will be paid to the petitioner by respondent No.4.This amount would be deposited by respondent no.4 in the bank account to be furnished by the petitioner before 7th of every month. This arrangement will continue till the time the rights of the petitioner are determined by the competent court. It will however be open to the parties to seek variation of the amount, if there is any change in circumstances.

CWP No.10457 of 2014 -3-

Disposed of.

5.11.2015
dinesh

(HARINDER SINGH SIDHU)
JUDGE