

**CM No. 1819-CII of 2015 and
CMM No. 103 of 2013 IN
FAO-M-211 of 2013**

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

**CM No. 1819-CII of 2015 and
CMM No. 103 of 2013 IN
FAO-M-211 of 2013**

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Pushpinder Kaur v. Pritpal Singh

Present: Mr. R.K. Shukla, Advocate for the applicant-appellant.

None for the respondent.

CM No. 1819-CII of 2015

Application is allowed as prayed for.

Photograph, Annexure A-1 filed along with the application is taken on record subject to all just exceptions. Office to tag the same at the appropriate place.

CMM No.103 of 2013

1. This is an application under Section 24 of the Hindu Marriage Act, 1955 (in short, "the Act") filed by the appellant-wife for grant of maintenance pendente lite and litigation expenses.

2. There was a matrimonial dispute between the parties. The respondent-husband filed a petition under Section 13 the Act for dissolution of marriage by a decree of divorce. The trial court after examining the entire evidence on record allowed the divorce petition vide judgment and decree dated 5.4.2013 against which the instant appeal has been filed by the appellant-wife. She has also filed the present application under Section 24 of the Act for maintenance pendente lite and litigation expenses, *inter alia*, on the grounds that she has no source of income to maintain herself and to meet expenses of the litigation. On the other hand, the financial position of the appellant was very sound as

he was running a shop and was earning ₹ 30,000/- per month. On these premises, the applicant prays for grant of maintenance pendente lite at the rate of ₹ 10,000/-per month and ₹ 35,000/- as litigation expenses.

3. Notice of the application was given to the respondent-husband. Reply was filed controverting the averments made in the application. It was pleaded that the respondent was living separately from his parents and was working in a small grocery shop. He was earning ₹ 3000/- per month. He was disowned by his father and notice in this regard was published in the newspaper 'Desh Sewak' dated 15.6.2007 (Annexure R-5). He prayed for dismissal of the application filed under Section 24 of the Act.

4. We have heard learned counsel for the applicant-appellant and perused the record. Keeping in view financial position of the respondent-husband, the status of the appellant-wife having no source of income, the inflationary trend during these years and the overall facts and circumstances of the case, it would be appropriate to award ₹ 2500/- per month as maintenance pendente lite to the appellant-wife from the date of the application during the pendency of the appeal in this Court. Ordered accordingly. The litigation expenses of ₹ 15,000/- has already been paid to the appellant-wife vide order dated 23.10.2013 passed by this Court.

5. CMM stands disposed of accordingly.

**(AJAY KUMAR MITTAL)
JUDGE**

**January 27, 2015
gbs**

**(SNEH PRASHAR)
JUDGE**