

HIGH COURT OF CHHATTISGARH, BILASPUR

WP227 No. 660 of 2016

1. Mandeep Singh Khanuja S/o Jasveer Singh Khanuja, Aged About 29 Years R/o Bhartiya Nagar, Samuja Vihar, Bilaspur P.S. Tarbahar, Tahsil & Distirct Bilaspur, Chhattisgarh Civil & Revenue District Bilaspur Chhattisgarh

---- Petitioner

Versus

1. Smt. Prableen Kaur W/o Mandeep Singh Khanuja, Aged About 26 Years R/o Main Road, Sirgitti, P.S. Sirgitti, Bilaspur Tahsil And District Bilaspur Chhattisgarh

---- Respondent

For Petitioner

Shri D.C. Verma, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

04/11/2016

1. The present petition under Article 227 of the Constitution of India has been preferred to challenge the order passed by the Family Court in exercise of power under Section 24 of the Hindu Marriage Act, 1955 ('the Act' in short).
2. In a petition under Section 13 of the Act preferred by the petitioner husband for grant of divorce, the respondent wife

submitted an application under Section 24 of the Act seeking interim maintenance of Rs.15,000/- per month and litigation expenses of Rs.25,000/-.

3. On the one hand, the petitioner claims to be assisting his father in a cycle repair shop with further pleading that the respondent wife earns Rs.15,000/- per month as a Teacher in a private school and on the other hand, the respondent contended that the petitioner owns a cycle & spare parts shop at Vyapar Vihar, Bilaspur, earning Rs.1.00 lac per month.
4. Considering the entire facts and circumstances of the case, the trial Court has allowed maintenance of Rs.5,000/- per month to the respondent wife and one time litigation expenses of Rs.4,000/-.
5. Having considered the facts situation of the case and particularly considering the price index and the living standard of parties in a city like Bilaspur, the trial Court has not allowed any disproportionate sum towards interim maintenance to the respondent wife.
6. While refusing to interfere with the impugned order in exercise of power under Article 227 of the Constitution of India, the writ petition is disposed of with a direction to the trial Court to decide

the matrimonial suit within a period of six months from the date of presentation of certified copy of this order.

7. Accordingly, the writ petition is disposed of with the observations as stated *supra*.

Sd/-

Judge

Prashant Kumar Mishra

Gowri