

Civil Revision No.2251 of 2015

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

Civil Revision No.2251 of 2015

Date of decision: 07.01.2016

Sandeep Kaur

....Petitioner

Versus

Sukhraj Singh

....Respondent

CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH DHALIWAL

- 1) Whether Reporters of the local papers may be allowed to see the judgment ?
- 2) To be referred to the Reporters or not ?
- 3) Whether the judgment should be reported in the Digest ?

Present: - Mr. Rohit Verma, Advocate, for the petitioner.
Mr. K.S. Rekhi, Advocate, for the respondent.

PARAMJEET SINGH DHALIWAL, J. (ORAL)

Instant revision petition under Article 227 of the Constitution of India has been filed for modification of order dated 21.01.2015 passed by learned Additional District Judge, Amritsar, whereby application under Section 24 of the Hindu Marriage Act (hereinafter referred to as 'the Act') has been allowed and petitioner has been granted maintenance pendente lite at the rate of ₹ 3,000/- per month and litigation expenses of ₹ 3,000/-.

Brief facts of the case are that respondent-husband has filed a petition under Section 13 of the Act before the learned Additional District Judge, Amritsar, for dissolution of marriage. During the pendency of the said petition, petitioner-wife moved an application

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under Section 24 of the Act, which has been allowed by learned Additional District Judge, Amritsar as aforesaid.

Now the petitioner has approached this Court for enhancement of litigation expenses as well as maintenance pendente lite.

I have heard learned counsel for the parties and perused the record.

Learned counsel for the respondent states at bar that respondent-husband is already paying ₹ 3,500/- per month as maintenance to the petitioner under Section 125 of the Code of Criminal Procedure. Thus, petitioner is getting ₹ 6,500/- per month as maintenance from the respondent. The carry home salary of the respondent is only ₹ 17,912/- per month i.e. less than ₹ 18,000/- per month.

I have considered the contentions raised by learned counsel for the parties.

Perusal of record shows that gross salary of the respondent-husband is ₹ 34,463/- per month. It appears that learned Additional District Judge while passing the impugned order, has not taken into consideration the increasing prices of the daily commodities and consequent hardship of the petitioner. The petitioner is not having any other source of income except the maintenance awarded to her.

In view of above, without going into minute details of the case and keeping in view the inflation, impugned order is modified to the extent that respondent shall pay maintenance pandente lite to the

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petitioner at the rate of ₹ 3,500/- per month and litigation expenses of ₹ 6,000/-. In this manner, petitioner will be getting ₹ 7,000/- per month, including the maintenance granted under Section 125 Cr.P.C and total amount shall not be more than that. The amount will be adjustable inter se proceedings under Section 125 Cr.P.C. as well as Hindu Marriage Act. In the above terms, order dated 21.01.2015 is modified.

Disposed of.

(Paramjeet Singh Dhaliwal)
Judge

January 07, 2016
R.S.