

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT  
CHANDIGARH

C.R. No.515 of 2016

Date of Decision.27.01.2016

Sukhwant Kaur

.....Petitioner

Vs.

Amarjit Singh

.....Respondent

Present: Mr. Balbir Singh Sewak, Advocate  
for the petitioner.

**CORAM:HON'BLE MR. JUSTICE K. KANNAN**

1. Whether Reporters of 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?

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**K. KANNAN J. (ORAL)**

1. The wife who has obtained a maintenance in Section 125 Cr.P.C. proceedings also sought for maintenance in the matrimonial proceedings under Section 24 of the Hindu Marriage Act. The Court passed an order awarding ₹5000/- as maintenance and directed the amount to be adjusted in the maintenance claim obtained before the Magistrate under Section 125 Cr.P.C. The amount of ₹5000/- alone seem to have been fixed. The wife's contention was that the husband was not paying the maintenance amount regularly and that his defence must be struck off. The Court below has observed that on the day when the matter was taken up for hearing, ₹36,000/- had been recorded as paid towards past arrears and the maintenance for November, 2015 was also being tendered. The Court has found, therefore, that it was not a case as if the husband was not paying maintenance and since, there was a provision for adjustment already in the interim order passed and the amount had been paid by way

of clearnace of the arrears and that the maintenance by November, 2015 was also paid, there is no need for striking of the defence as sought for.

2. I do not find any error in the order already passed for interference in the revision petition. The revision petition is dismissed. However, the husband is directed to pay the maintenance regularly.

(K. KANNAN)  
JUDGE

January 27, 2016  
Pankaj\*