

Civil Revision No.5451 of 2015

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

Civil Revision No.5451 of 2015

Date of decision: 10.02.2016

Malkeet Kaur

....Petitioner

Versus

Yadavinder 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. Saurabh Garg, Advocate, for the petitioner.  
Ms. Neha Rathi, Advocate, for  
Mr. S.K. Panwar, Advocate, for the respondent.

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**PARAMJEET SINGH DHALIWAL, J.**

Instant revision petition under Article 227 of the Constitution of India has been filed for modification of the order dated 25.05.2015 passed by learned Additional District Judge, Yamuna Nagar at Jagadhri whereby application under Section 24 of the Hindu Marriage Act (hereinafter referred to as 'the Act') moved by the petitioner has been allowed.

Brief facts of the case are that marriage between the parties solemnized on 28.11.2008. From the wedlock one male child, namely Gurkirat Singh, was born on 12.10.2010. However, after sometime of the marriage some differences occurred between the parties. As a result of which respondent filed a petition under Section 13 of the Act for

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dissolution of marriage. Petitioner moved an application under Section 24 of the Act seeking maintenance at the rate of Rs.20,000/- per month as maintenance pendente lite and Rs.15,000/- towards litigation expenses. Vide impugned order dated 25.05.2015 learned Additional District Judge, Yamuna Nagar allowed the application and granted Rs.3,000/- per month as maintenance pendente lite and Rs.5500/- as litigation expenses. Present revision petition has been filed for modification of the impugned order.

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

Learned counsel for the petitioner vehemently contended that impugned order is not sustainable in the eyes of law as the same has been passed ignoring the factual position on record. The maintenance awarded by the Court is too meager. The Court has not taken into consideration the income of the respondent.

On the other hand, learned counsel for the respondent contended that impugned order has been passed as per status of the parties, therefore, the order is just and valid.

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

Petitioner-wife has failed to show that respondent-husband has any income except private job, which is assessed at about Rs.10,000/- per month by the learned Additional District Judge. Moreover, respondent is also maintaining the minor child. Therefore, keeping in

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view the status of the parties, petitioner has been rightly granted maintenance at the rate of Rs.3000/- per month.

In view of above, I do not find any illegality or perversity in the impugned order.

Dismissed.

**(Paramjeet Singh Dhaliwal)**  
**Judge**

**February 10, 2016**  
**R.S.**