

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

C.R. No.5853 of 2016 (O&M)
Date of Decision.30.09.2016

Vani SharmaPetitioner
Vs.

Vivek SharmaRespondent

2. C.R. No.4569 of 2016

Vivek SharmaPetitioner
Vs.

Vani SharmaRespondent

Present: Mr. Vinod K. Kaushal, Advocate
for the petitioner in C.R. No.5853 of 2016 and
for the respondent in C.R. No.4569 of 2016.

Ms. Rajwinder Kaur, Advocate
for the petitioner in C.R. No.4569 of 2016 and
for the respondent in C.R. No.5853 of 2016.

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AMIT RAWAL J. (ORAL)

This order of mine shall dispose of two revision petitions. One at the instance of the husband i.e. C.R. No.4569 of 2016 challenging the order passed under Section 24 of the Hindu Marriage Act whereby the Court below awarded maintenance pendente lite at ₹5000/- per month and ₹10,000/- as litigation expenses in the divorce petition filed by the husband and C.R. No.5853 of 2016 has been filed at the instance of the wife for enhancement of the ad interim maintenance.

Ms. Rajwinder Kaur, learned counsel appearing for the petitioner-husband in C.R. No.4569 of 2016 submits that the amount of maintenance is too phenomenon as the wife is residing in the flat of the petitioner and therefore, the amount of ₹5000/- as maintenance, in the absence of any child, is sufficient. She submits that divorce petition is dated

22.12.2015 and he will continue to pay the interim maintenance @₹5000/- per month provided, as per the compromise arrived at between the parties dated 16.06.2015 (Annexure P-2) whereby the wife had received a sum of Rs.3 lacs, be ordered to be refunded.

Mr. Vinod K. Kaushal, learned counsel appearing for the wife in C.R. No.5853 of 2016 submits that wife had already given undertaking that she is not averse to return the amount and the same fact was vindicated before the Court below.

I have heard learned counsel for the parties, appraised the paper book and of the view that instead of pondering upon the maintenance pendente lite, either to be less or high, let the divorce petition stated to be pending before the District Judge, Amritsar at the stage of filing of the written statement be disposed of. I deem it appropriate to issue direction for expeditious disposal of the same.

Accordingly, both the revision petitions are disposed of with the direction that the wife would return the sum of ₹3 lacs to the husband within a period of one month from today and shall file the written statement within two weeks from today, rejoinder, if any, be filed within one week thereafter and the Court below shall dispose of the divorce petition after giving four effective opportunities to each one of the parties as expeditiously as possible and preferably within a period of ten months. The order of maintenance pendente lite @₹5000/- and litigation expenses @₹10,000/- is upheld.

(AMIT RAWAL)
JUDGE

September 30 2016
Pankaj*

Whether reasoned/speaking Yes

Whether reportable No