

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

C.R.No.5923 of 2015 (O&M)

Date of Decision: March 11, 2016

Manpreet Kaur

...Petitioner

Versus

Harvinder Singh

...Respondent

CORAM: HON'BLE MR.JUSTICE AMIT RAWAL, JUDGE

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?

Present: None for the petitioner.

Mr.Vijay Lath, Advocate,
for the respondent.

AMIT RAWAL, J. (Oral)

Petitioner-wife is aggrieved of the order dated 27.5.2015, whereby, in a divorce petition filed under Section 13 of the Hindu Marriage Act, 1955 (for short "1955 Act") maintenance pendent lite to the tune of ₹2,500/- per month and litigation expenses of ₹6,000/- have been awarded, whereas according to the petitioner, maintenance pendent lite should have been much more as per the status of the parties, much less income of the respondent-husband.

Mr.Vijay Lath, learned counsel appearing on behalf of the respondent-husband submits that there is a categoric pleading in Para 11 of the divorce petition that a sum of ₹4,50,000/- was deposited in the shape of FDR. However, the same has been denied and, therefore, the petitioner-wife is not entitled for enhancement of the maintenance pendent lite. The whole

idea of Section 24 of 1955 Act is to sustain during the pendency of the divorce petition, much less incur litigation expenses and, thus, prays for dismissal of the revision petition.

I have heard the learned counsel for the respondent-husband and appraised the paper book and of the view that the maintenance pendent lite of ₹2,500/- per month is on the lesser side for the reason that the respondent-husband's income has been assessed only ₹8,000/- per month, whereas according to the petitioner-wife, he is earning around ₹1,50,000/- per month as he is also having agricultural land in the name of his family. No proof of FDR has been placed on record before the trial Court or before this Court vis-a-vis the deposit of the amount, as referred above.

Accordingly, the impugned order is hereby modified. The maintenance pendent lite is enhanced to ₹3,500/- per month from ₹2,500/- and litigation expenses from ₹6,000/- to ₹11,000/-.

The revision petition stands allowed.

March 11 , 2016
ramesh

(AMIT RAWAL)
JUDGE