

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

**CR No.6535 of 2016
Date of decision:29.09.2016**

Amandeep Singh

... Petitioner

Vs.

Ramandeep Kaur

... Respondent

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. Onkar Rai, Advocate
for the petitioner.

AMIT RAWAL J. (Oral)

The petitioner – husband is aggrieved of the impugned order dated 06.09.2016 (Annexure P-8), whereby, ad interim maintenance to the tune of ₹5,000/- per month and ₹3,000/- as litigation expenses, has been granted by the Court below.

Mr. Onkar Rai, learned counsel appearing on behalf of the petitioner – husband submits that even the parties, vide Annexures P-1 and P-2 have compromised the matter, though the respondent – wife is working as a Teacher and drawing handsome salary yet filed the petition under Section 12 of Hindu Marriage Act, 1955 for dissolution of marriage on the ground of impotency and on other serious allegations and therefore, the divorce petition, much less, interim order are not sustainable in the eyes of law. He further submits that in the application moved before the Court below the fact that she is working as a Government Teacher was conceded

and thus, submits that there is illegality and perversity in the order under challenge.

I have heard learned counsel for the petitioner-husband and appraised the paper book and of the view that as per the documentary evidence brought on record, she is working as a Teacher on ad-hoc basis but not drawing a good salary. The petitioner is required to maintain the wife, as per the status of the parties. In my view, the maintenance pendente lite @ ₹5,000/- per month is not higher amount, whereas, litigation expenses is only ₹3,000/-. The divorce petition filed by the wife against the husband is on the ground available under act. The compromise is under the guidance of Panchayat which is not recognized in the eyes of law.

In view of the aforementioned observations, I do not intend to differ with the findings rendered in the impugned order, much less, the same cannot be said to have been passed without jurisdiction.

Accordingly, the revision petition stands dismissed.

(AMIT RAWAL)
JUDGE

September 29, 2016
savita

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No