

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Civil Revision No.6936 of 2016

Date of Decision: 19.10.2016

SANJAY KAPOOR

.....Petitioner

Vs

KAVITA RANI

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Vibhor Bansal, Advocate
for the petitioner.

RAJ MOHAN SINGH, J

[1]. Petitioner has assailed order dated 09.05.2016 (Annexure P-5) passed by the Additional District Judge, Kaithal whereby an amount of Rs.8,000/- per month was granted towards maintenance *pendente lite* and an amount of Rs.5,000/- was granted as litigation expenses.

[2]. Relationship between the parties was an admitted fact. Factum of ailment of the petitioner could not be demonstrated before the trial Court with reference to any evidence, nor the factum of petitioner being unemployed could be brought on record except the bald assertion to that effect as against the statement of fact made by the respondent that the petitioner

was serving as a security guard.

[3]. Concededly petitioner has school going children i.e. son studying in 4th Class and daughter studying in 3rd class. In any case, the petitioner is under legal and social obligation to support his wife in terms of upbringing of the children. The allegations and counter-allegations would be gone into by the Court at appropriate stage. The issue herein is only in respect of liability of the petitioner to maintain his family.

[4]. An amount of Rs.8,000/- per month cannot be said to be an amount on higher side, particularly in view of the fact that the respondent have two school going children, besides maintaining herself.

[5]. In considered opinion of this Court, the amount of Rs.8,000/- per month towards maintenance *pendente lite* and Rs.5,000/- as litigation expenses cannot be held to be on higher side.

[6]. In view of aforesaid, this revision petition is dismissed.

October 19, 2016

Atik

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned

Yes / No

Whether reportable

Yes / No