

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

Civil Revision No.6957 of 2016
Date of decision: October 19, 2016

Sukhvir Singh

...Petitioner

Versus

Lakhwinder Kaur

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Sandeep Arora, Advocate for the petitioner.

Rajan Gupta, J. (oral)

Present revision petition is directed against the order dated 4.12.2014, passed by Additional District Judge, Amritsar, whereby interim maintenance @ Rs.10,000/- per month has been granted to the respondent-wife alongwith Rs.10,000/- as litigation expenses.

Mr. Arora, learned counsel for the petitioner has assailed the order. According to him, the petitioner is retired from Army and is getting pension. He is suffering from various ailment including diabetes as well as hypertension. The maintenance granted is on the higher side. Thus, order is unsustainable.

I have heard learned counsel for the petitioner and given careful thought to the facts of the case.

It appears that petitioner instituted a petition under section 13 of the Hindu Marriage Act seeking divorce from respondent wife. During the pendency of the petition, application under section 24 of the Act was moved for interim maintenance. Respondent wife claimed that

petitioner is retired from Army and getting pension of Rs.23,940/-. After considering rival contentions, trial court came to the conclusion that respondent wife was entitled to interim maintenance of Rs.10,000/- per month from the date of filing application. I find no infirmity with the order. There is no ground to interfere in revisional jurisdiction.

Dismissed. It is, however, made clear that in case any maintenance is granted by any other court, petitioner shall be at liberty to move application before the court below for setting it off.

(RAJAN GUPTA)
JUDGE

October 19, 2016
'Rajpal'

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No