

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CR No.7143 of 2014 (O&M)
Date of decision:11.01.2016

Prince Pal Singh

... Petitioner

Vs.

Daljit Kaur

... Respondent

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

1. Whether reporters of local newspapers may be allowed to see judgment?
2. To be referred to reporters or not?
3. Whether the judgment should be reported in the Digest?

Present:- Mr. Ashok Giri, Advocate, for the petitioner.

AMIT RAWAL J. (Oral)

The present revision petition is at the instance of the petitioner - husband against the order dated 04.09.2014, passed in the application filed under Section 24 of the Hindu Marriage Act, whereby, a sum of ₹ 6,000/- per month has been awarded as maintenance pendente lite in a petition filed under Section 13 of the Hindu Marriage Act, 1955 seeking divorce.

Mr. Ashok Giri, learned counsel for the petitioner-husband submits that it is a categoric case of the respondent-wife that she is working as Teacher and drawing a salary of ₹10,000/- per month. Admittedly, there is a minor child aged 6 years and the petitioner is also drawing a salary of ₹10,000/- per month. He further submits that his client is not averse to the education expenses of the child who is in the custody of the respondent-wife.

Notice of this revision petition has been served upon the respondent which is indicated from the order dated 16.01.2015. However, there is no representation on her behalf.

I have heard learned counsel for the petitioner and appraised the paper book.

The contention of Mr. Giri, noticed above, appears to be fair and justified, since the respondent-wife has admitted in the application that she is drawing a salary of ₹10,000/- per month. As per certificate, Annexure P-5, and the petitioner is also drawing salary of ₹10,000/- per month, I am of the view that maintenance pendent lite amounting to ₹6,000/- per month awarded to the respondent-wife is on the higher side. Accordingly, the same is reduced to the extent of ₹2500/- per month which shall be defraying the education and other expenses of the minor child, since the custody of the child is with the respondent-wife. She would also be contributing for the upbringing of the child.

With the aforementioned observations, the impugned order is modified and the revision petition is disposed of.

It is made clear that maintenance pendent lite expenses shall be ₹2500/- per month instead of ₹6,000/- per month due from the date of the filing of the application .

(AMIT RAWAL)
JUDGE

January 11, 2016
savita