

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

CR No.7418 of 2016 (O&M)

Date of decision:7.11.2016

Rarjwinder Kaur and another

....Petitioners

VERSUS

Kundan Singh

.....Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. G.S. Sirphikhi, Advocate for the petitioners.

REKHA MITTAL, J.(Oral)

Counsel for the petitioners would contend that the petitioners have filed a suit for maintenance under Section 19 and 20 of the Hindu Adoption and Maintenance Act, 1956. Arshdeep Singh, minor, petitioner No.2 was awarded interim maintenance at the rate of Rs.5,000/- per month from the date of application i.e. 25.07.2011 vide order dated 16.09.2015. It is further submitted that the petitioners filed an application dated 02.09.2016 stating that arrears of interim maintenance approximately Rs.3 lakh are pending and thereafter, only an amount of Rs.3,500/- has been paid duly recorded in the order dated 13.09.2016. It is submitted that the petitioners have filed an application for striking of defence of the defendant but the trial Court is proceeding with the trial without deciding the said application. It is further prayed that a direction may be issued to the trial Court for disposal of the application in a time-bound manner.

Keepng in view the limited prayer made by the petitioners, the petition stands disposed of with a direction to the Court below to decide the application filed by the petitioners for striking of defence of the defendant/respondent within 10 days from the date of receipt of certified copy of the order

NOVEMBER 7, 2016

'D. Gulati'

(REKHA MITTAL)

JUDGE

Whether speaking/reasoned :

Yes/No

Whether reportable :

Yes/No