

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

CR No.8382 of 2015

Date of decision : 31.03.2016

Surinder

...Petitioner

Versus

Sunita

...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. Rajesh Lamba, Advocate for the petitioner.

Mr. Vivek Khatri, Advocate for the respondent.

AMIT RAWAL, J. (Oral)

The petitioner-husband is aggrieved of the order passed under Section 24 of the Hindu Marriage Act, whereby maintenance pendente lite to the tune of ₹3,000/- from the date of application along with litigation expenses at the rate of ₹5,500/- has been awarded.

Mr. Rajesh Lamba, learned counsel appearing on behalf of petitioner submits that prior to the institution of the divorce petition, there was panchayati nama/compromise vide which the payment of ₹4,25,000/- and ₹3,00,000/- was paid to the father of the respondent, thus, the respondent has been compensated and is not liable to be paid maintenance

pendente lite as she has sufficient income to defend the litigation, much less, sustain herself.

Mr. Vivek Khatri, learned counsel appearing on behalf of respondent submits that genuinity and authenticity of the document is yet to be proved whether it bears actual signature of the father of the respondent or not and whether the said amount has been paid in lieu of settlement between husband and wife or for some other transaction. Be that as it may. But the fact remains that in divorce petition, maintenance pendente lite to the tune of ₹3,000/- from the date of application, has been awarded.

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

In my view, I do not find any illegality and perversity in order under challenge. However, in case petitioner is able to prove the veracity and authenticity of the documents during the course of trial, he shall be at liberty to seek the refund and this fact shall be observed and noticed by the court below in judgment.

With the aforementioned observation, impugned order is hereby affirmed.

Revision petition stands disposed of.

31.03.2016

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**(AMIT RAWAL)
JUDGE**