

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-29262 of 2016
Date of Decision: 18.10.2016

Raj Rani

.....Petitioner

Vs.

Harinder Pal and another

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Rajesh Malik, Advocate, for the petitioner.

RITU BAHRI, J. (ORAL)

This petition has been filed under Section 482 Cr.P.C. is for issuance of direction to respondent No.2 to not to release the pensionary benefits to respondent No.1 till he does not clear the arrears of maintenance allowances passed in favour of the petitioner in matrimonial proceedings (Annexure P-1 and P-2).

Learned counsel for the petitioner submits that petitioner along with her children were thrown out of her matrimonial home (government accomodation). Petitioner has filed a petition under Section 12 of the Protection of Women from Domestic Violence Act, 2005 which was decided in favour of her and learned Court below ordered for sharing the household government accomodation with all facility. Thereafter, respondent-husband refused to maintain the petitioner and consequently the petitioner had filed a petition under Section 125 Cr.P.C. seeking maintenance from respondent-husband. The said petition was allowed and learned Court below also directed the respondent-husband to pay Rs.4,000/- per month to the petitioner along with arrears of maintenance from the date of filing the

petition. He further submits that arrears are due towards the respondent-husband comes out to be more than Rs.5,50,000/- and only Rs.40,000/- was paid by the respondent-husband to the petitioner. Petitioner has filed representation (Annexure P-3) before the SDO, Sub Urban, Sub Division, UHBVNL, Model Town, Karnal, keeping in view that respondent-husband has already not paid arrears of maintenance till yet and he is going to retire in the year 2017 and she has a reasonable apprehension that after the retirement the respondent-husband will migrate to his native place i.e. Uttar Pradesh after getting all his retiral benefits.

In view of the above, without commenting upon the merits of the case, this petition is disposed of by giving directions to respondent No.2 to look into the representation (Annexure P-3) and take appropriate action in accordance with law.

(RITU BAHRI)
JUDGE

18.10.2016

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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>