

DARSHAN SINGH VS JASWANT KAUR

Present: Mr. Vikas Bahl, Senior Advocate with
Ms. Japneet Kaur, Advocate
for the non-applicant/appellant.

Mr. Aakash Singla, Advocate
for the applicant/respondent.

Heard submissions made on either side.

Respondent has demonstrated before the Court that the appellant apart from carrying on his practice in Homeopathy is possessing about 17 acres of wet land. Even as per the Income Tax Returns, it is found that the appellant has shown agricultural income at Rs.5 lacs per year.

It is brought to our notice that the respondent is in fact residing in the house at Patiala which stands jointly in the name of appellant and the respondent. Of course, respondent is also drawing a sum of Rs.16,000/- as pension from the Government.

In our considered view, a sum of Rs.16,000/- is not sufficient to carry on a decent life in Patiala.

Considering the avocation being carried on by the appellant and the income which he derives from agriculture, we direct him to pay a sum of ₹5,000/- per month as maintenance *pendente lite* to the respondent from the date of application. The entire arrears be paid in the shape of Bank draft within a period

of two months. The future monthly maintenance as ordered above shall be paid on or before 8th of every month in the bank account of the respondent which shall be furnished by her.

CMM disposed of accordingly.

Registry is directed to put up the main appeal on 07.07.2016 for final arguments.

**(M. JEYAPPAUL)
JUDGE**

26.04.2016
Atik

**(RAJ MOHAN SINGH)
JUDGE**