

CR No.3929 of 2016 and
CR No.6436 of 2016 (O & M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CR No.3929 of 2016
Date of decision :13.09.2017

Pooja Kanda

...Petitioner

Versus

Harish Kanda

...Respondent

CR No.6436 of 2016 (O & M)

Harish Kanda

...Petitioner

Versus

Pooja Kanda

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Ms. Saigeeta Srivastava, Advocate
for the petitioner in CR No.3929 of 2016 and
for the respondent in CR No.6436 of 2016.

Mr. Munish Gupta, Advocate
for the petitioner in CR No.6436 of 2016 and
for the respondent in CR No.3929 of 2016.

ANIL KSHETARPAL, J.(Oral)

By this common order, I shall be disposing of CR Nos.3929 and 6436 of 2016 arising from the same suit.

Husband is in Revision Petition against fixing maintenance pendente lite at the rate of Rs.7,500/- per month for wife and minor child, whereas wife is in revision petition for enhancement of maintenance.

Learned trial Court after noticing that the husband is filing Income Tax Return to the tune of Rs.1,81,232/-, fixed the maintenance pendente lite at the rate of Rs.75,00/- per month.

It is the allegation in the application under Section 24 of the Hindu

Marriage Act that the family of the husband are jewellers doing their business in the name of “Kanda Ornaments”, which is the surname of the family. It is further asserted that they are also in the whole sale business of mobile phones and its accessories in the name of “Kanda Mobiles”. It is further asserted that the family of the husband is also in the business of money transfer being franchise of Western Union Money Transfer in the name and style of “Kanda Overseas”. It is further asserted that the husband is not earning less than Rs.90,000/- per month.

During the course of the arguments, counsel for the wife has produced before me photograph showing the residence of the petitioner and the shops owned by the family of the petitioner.

Taking into consideration the overall facts, it appears that the husband belongs to a reasonably affluent family. Wife is maintaining herself as well as her minor child six years old. In these days, cost of living is very high and parties belong to Jalandhar, which is a Metropolitan City in the State of Punjab.

In my considered opinion, the maintenance pendente lite fixed by the trial Court requires to be enhanced. Taking into consideration all the facts available, I deem it appropriate that the maintenance pendente lite already awarded by the trial Court is enhanced to Rs.12,500/- per month from the date of filing of the petition under Section 24 of the Hindu Marriage Act.

Accordingly, both the Civil Revision petitions are disposed of.

13.09.2017
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(ANIL KSHETARPAL)
JUDGE

Whether Speaking/reasoned : Yes
Whether Reportable : No