

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

(126)

CR-4402-2017

Decided on: July 10, 2017.

Inderpal Singh Kakkar

.... Petitioner

Versus

Navdeep Kaur and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Liaqat Ali, Advocate, for the petitioner.

M.M.S. BEDI, J (ORAL)

Petitioner is aggrieved by interim order dated 02.02.2017 granting maintenance under Sections 24 and 26 of the Hindu Marriage Act to the tune of Rs.3000/- and Rs.4000/- per month to respondents No. 1 and 2 holding prima facie that the petitioner, even if, he is not doing anything, being hale and hearty, would be earning minimum of Rs.12,000/- per month.

Learned counsel for the petitioner submits that income of the petitioner has been wrongly assessed by the trial Court for the purpose of determining the interim maintenance to the respondents.

Learned counsel for the petitioner has further argued that respondents are staying in a portion of the house of the petitioner which factor has not been taken into consideration.

After hearing learned counsel for the petitioner and going through the interim order passed by the trial Court, I am of the opinion that amount of award to the respondents is only interim compensation till the final decision during pendency of the proceedings under Section 13 of the Hindu Marriage Act filed by respondent No.1 against the petitioner. As per

provisions of Section 21-B (2) of the Hindu Marriage Act, every petition under the Hindu Marriage Act, is required to be tried expeditiously and concluded within a period of six months from the date of service of the notice on the respondents.

In view of the statutory period prescribed for conclusion of the matrimonial proceedings and the meager amount of interim compensation determined vide impugned order, there is no scope for interference.

The petition is dismissed.

In case, there is no compliance of the above said provision, it will always be open to the petitioner to request the trial Court for expeditious disposal of the case.

(M.M.S. BEDI)
JUDGE

July 10, 2017
harsha

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No