

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

247

CR-5230-2016

Date of Decision:12.05.2017

Harpreet Kaur & another

.....Petitioners

Versus

Sukhdev Singh

.....Respondent

CORAM: HON'BLE MR.JUSTICE RAMESHWAR SINGH MALIK.

Present: Mr.D.S.Kahlon, Advocate,
for the petitioners.

Mr.Sandeep S.Majithia, Advocate,
for the respondent.

RAMESHWAR SINGH MALIK, J.(Oral)

Feeling aggrieved against the impugned order dated 04.07.2016 (Annexure P-5), passed by the learned matrimonial court in the application moved by the petitioners under Sections 24 and 25 of the Hindu Marriage Act, 1955, granting an amount of ₹14,000/- per month as maintenance pendente lite, petitioners who are wife and daughter of the respondent, have approached this Court by way of instant revision petition, filed under Article 227 of the Constitution of India, for enhancement of the amount of maintenance by suitably modifying the impugned order.

Notice of motion was issued.

Heard learned counsel for the parties.

As per documents placed before this Court by learned counsel for the respondent-husband, his monthly salary is ₹54,958/- and after deductions on account of AGIF and AFPP, he is getting carry home salary

to the tune of ₹42,458/- per month. It is also not in dispute that the respondent-husband is serving in the Army. Under these undisputed facts and circumstances of the case in hand, it can be safely concluded that an amount of ₹14,000/- per month for both the petitioners is certainly on lower side and the same deserves to be enhanced. In case the principle of apportionment is applied, petitioners would be entitled for 2/3rd monthly income. However, keeping in view the personal necessities of the respondent-husband, this Court is of the considered view that an amount of ₹24,000/- per month would be reasonable and shall meet the ends of justice. Thus, taking a holistic view of the matter proceeding on a pragmatic approach and to do substantial justice between the parties, this Court is of the considered opinion that the amount of monthly maintenance deserves to be enhanced from ₹14,000/- per month to ₹24,000/- per month.

Ordered accordingly.

With the above-said observations made, impugned order dated 04.07.2016 (Annexure P-5) would stand modified to the extent indicated above. Consequently, respondent-husband is directed to pay an amount of ₹24,000/- per month to both the petitioners from the date of application moved by them. He shall also pay the arrears within a period of three months from today.

Resultantly, with the above-said observations made and directions issued, instant revision petition stands disposed of.

May 12, 2017
seema

(RAMESHWAR SINGH MALIK)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No