

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

Civil Revision No.5555 of 2017(O&M)

Date of Decision: August 21 , 2017

Gaurav Kumar @ Jolly
versus
Sunita @ Sanaha @ Sonu

...Petitioner

...Respondents

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: - Mr.Ashwani Kumar Dhingra , Advocate
for the petitioner.

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HARINDER SINGH SIDHU, J.

The petitioner-husband has impugned the order dated 26.05.2017 of the District Judge, Ferozepur, whereby, the Court has allowed maintenance pendente lite of Rs. 4000/- per month to the respondent-wife and Rs.3000/- per month to the minor child and Rs.5000/- as litigation expenses to be paid to the respondent by the petitioner.

The marriage of the petitioner with the respondent was solemnized on 30.11.2007 at Moga as per Hindu rites. From this wedlock one male child was born. There were disputes and differences between the parties. The petitioner filed a divorce petition u/s 13 of the Hindu Marriage Act which is pending before the District Judge, Ferozepur.

During the pendency of the petition, the respondent moved an application u/s 24 of the Hindu Marriage Act, wherein, vide order dated 26.05.2017, the Ld. Distirct Judge has awarded Rs.4000/- per month to the respondent and Rs.3000/- per month to the minor child Ansh Gaur as maintenance pendente lite. Litigation expenses of Rs.5000/- have also been awarded to the respondent.

Ld. Counsel for the petitioner has argued that the respondent is

working as Principal of a private school and is earning Rs.25,000/- per month. Besides, she is getting substantial amount as rental income, whereas, the petitioner is unemployed.

Having heard Ld. Counsel for the petitioner, I find no ground to interfere with the impugned order.

The respondent in her application for maintenance has stated that her minor son Ansh Gaur is studying in Arya Model High School, Moga in Third Standard. A sum of Rs.10000/- per month is being incurred to maintain him and for his education. She has taken rental accommodation at Rama Colony on a monthly rent of Rs.5000/-. She has fairly stated that she has taken a job as a teacher on purely temporary basis at Rs.19000/- per month in order to support herself and her child. It was alleged that the petitioner is working in a company namely Sportking and getting salary of Rs.40000/- per month.

The Ld. Court has concluded that the petitioner appears to be intentionally concealing the fact of his avocation and income in order to evade his liability to maintain his wife and child. Taking into consideration all the facts and circumstances, the maintenance pendente lite has been awarded. The amount awarded is just the bare minimum that could have been awarded in these circumstances. I see no ground to interfere with the impugned order.

Dismissed.

August 21 , 2017

(HARINDER SINGH SIDHU)
JUDGE

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Whether speaking/ reasoned:	Yes/No
Whether Reportable:	Yes/No

