

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

-.-

CR 6794 of 2017
Date of decision: 03.10.2017

Lakhwinder Singh

..... *Petitioner*

Versus

Palwinder Kaur and others

.....*Respondents*

Coram: Hon'ble Mrs. Justice Rekha Mittal

-.-

Present: Mr. Ashish Grover, Advocate
for the petitioner

-.-

Rekha Mittal, J. (Oral)

The present petition directs challenge against order dated 22.08.2017 (Annexure P4) passed by the Additional District Judge, Hoshiarpur whereby application filed under Section 24 of the Hindu Marriage Act, 1955 (in short, 'HMA') for grant of maintenance *pendente lite* has been allowed and respondent No.1 has been allowed maintenance @ Rs.25,000.00 per month and litigation expenses of Rs.10,000.00.

Counsel for the petitioner, in line, with the contentions recorded in para 7 of the impugned order would argue that a kothi worth Rs.40,00,000.00 situated at Dasuya belonging to the petitioner is in possession of the respondent-wife. The respondent is in possession of Rs.20,00,000.00 in cash that belongs to the petitioner. Therefore, she is not entitled to get maintenance.

The trial Court has noticed in para 7 of the impugned order that the aforesaid averments raised by the petitioner have been denied by the

other side. Counsel, on a query by the Court, has failed to point out any materials on record to substantiate plea of the petitioner that the respondent wife is having Rs.20,00,000.00 with her, sufficient to negate her plea that she has got no source of income to maintain herself. Counsel has not disputed that two children born out of the wedlock of the parties are studying in Cambridge International School Dasuya and monthly fee of the children is Rs.12,000.00 besides other expenses. Under the circumstances, I do not find any patent error much less illegality in the impugned order allowing maintenance pendente lite at the rate of Rs.25,000.00 per month.

For the foregoing reasons, the petition fails and is accordingly dismissed in limine.

(Rekha Mittal)
Judge

03.10.2017
mohan bimbira

Whether speaking/reasoned: Yes/No

Whether reportable : Yes/No