

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

Civil Revision No.7819 of 2015(O&M)  
Date of Order: 28.07.2017

Sweeti

..Petitioner

Versus

Sonu

..Respondent

**CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present: Mr. Ajay Kumar Kansal, Advocate,  
for the petitioner.

**ANIL KSHETARPAL, J.**

Petitioner-wife has filed this revision petition under Article 227 of the Constitution of India against order dated 16.10.2015 (Annexure P-4), passed by the learned District Judge, Jind, deciding application under Section 24 of the Hindu Marriage Act, 1955 (hereinafter referred to as 'the Act'), for grant of maintenance pendente-lite.

Learned District Judge while adjudicating upon the application under Section 24 of the Act, held that no evidence has come on file regarding the income of the husband. Learned District Judge has further considered that respondent-husband has pleaded that he is diabetic and he is undergoing quite expensive treatment.

Learned District Judge after considering all aspects of the matter, have declined the request of the petitioner-wife for maintenance but granted maintenance of Rs.2000/- per month for up bringing of minor child from the date of application.

Learned counsel for the petitioner-wife has very fairly stated

that after the impugned order was passed, respondent-husband was proceeded against ex-parte and decree of divorce has already been granted in favour of the petitioner-wife, on 11.03.2016.

Now the only dispute which remains is payment of maintenance pendente-lite from the date of application till disposal of divorce petition to the wife.

Taking into consideration that the decree of divorce has already been granted and the respondent-husband has not even paid the maintenance as fixed by the Court for the minor child, I dispose of this revision petition with the observation that petitioner-wife, who has already filed a petition for maintenance, under Section 125 Cr. P.C., shall continue to prosecute the same.

Revision petition disposed of.

**July 28, 2017**  
**nt**

**(ANIL KSHETARPAL)**  
**JUDGE**

Whether speaking/reasoned  
Whether reportable

: Yes/No  
: Yes/No