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

Sr. No.114

**Civil Revision No.8723 of 2016
DECIDED ON: February 20, 2017**

JAIWANT SINGH

..PETITIONER

VERSUS

RENU SONI

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Kanhiya Soni, Advocate,
for the petitioner.

JASPAL SINGH, J.

Through the instant revision petition preferred under Article 227 of the Constitution of India, petitioner has sought the setting aside of impugned order dated August 31, 2016 (Annexure P-1) passed by learned District Judge, Family Court, Bhiwani, while disposing of an application under Section 24 of the Hindu Marriage Act (for short 'Act'), the petitioner-husband has been directed to pay maintenance pendente lite to the tune of ₹10,000/- per month from the date of application plus litigation expenses to the tune of ₹10,000/-.

2. While assailing the impugned order dated August 31, 2016 it

has been argued with vehemence by the learned counsel for the petitioner that the learned District Judge, Family Court, Bhiwani has failed to appreciate that the petitioner is jobless. Earlier, he has to leave the job on account of harassment and cruelty meted out to him by the respondent-wife. Previously, he has also been earning ₹3,000/- per month by working as a Sweeper/Cleaner in the shop of his father. Even, from the said shop, he is not earning anything after the demise of his father. Moreover, the respondent-wife is an educated lady and also knows the art of tailoring, sewing, weaving and stitching etc. She has sufficient source to earn her livelihood. But all these factors have been ignored and disbelieved by the learned trial court while passing the impugned order. Thus, the impugned order granting maintenance is illegal erroneous and has caused grave and substantial injustice to the petitioner which otherwise cannot be sustained in the eyes of law.

3. This court has given an anxious thought to the aforesaid submissions made by learned counsel for the petitioner, but does not find any merit therein.

4. The respondent is the legally wedded wife of the petitioner. He is legally and morally duty bound to maintain her. The petitioner is an able bodied person. Though, it has been pleaded by the petitioner that he is jobless and has no source of income. But it has emerged that he is running a Patanjali Ayurvedic Shop at Bhiwani besides providing coaching to students in German Language and his income has been assessed to the tune of ₹40,000/- per month by the learned District Judge, Family Court, Bhiwani. Taking into consideration, the fact that prices of each and every

commodity are touching to the sky and the respondent-wife has no independent source of income who requires the basic needs like food, clothing etc., she deserves the maintenance pendente lite. Taking into consideration the financial and social status of the parties, this court is of the considered view that the grant of maintenance pendente lite @ ₹10,000/- per month as well as the litigation expenses to the tune of ₹10,000/- vide impugned order dated August 31, 2016 is legally and factually justified. This court does not find any infirmity or illegality in the impugned order.

5. Accordingly, finding no merit in the instant petition, it stands dismissed.

February 20, 2017
Ankur

(JASPAL SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	Yes/No