

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

FAO-2239-2017 (O&M)
Date of Decision:24.11.2017

Rohit Ahuja

.... Appellant

Vs.

Smt. Pooja Ahuja

.....Respondent

CORAM : HON'BLE MR.JUSTICE M.M.S.BEDI

Present : Mr.Rohit Mittal, Advocate for
Mr.Deepak Manchanda, Advocate
for the appellant.

M.M.S.BEDI, J. (Oral)

CM-16052-CII of 2017 and CM-20985-CII of 2017 are allowed.

Documents Annexures A1 to A9 are permitted to be taken on record.

Husband has preferred the present appeal against the order of Family Court, Faridabad, passed under Section 24 of the Hindu Marriage Act awarding maintenance pendente lite at the rate of ₹ 30,000/- per month to the respondent-wife along with another sum of ₹ 10,000/- per month to the child from the date of the application. The above said order has been challenged before this Court mainly on the ground that the appellant has already lost his job as Chartered Accountant from Jafra Ruchi Cosmetics India Pvt. and from Bar Code India Limited. The said fact has been denied by the respondent-wife claiming that the appellant had engaged five part-time servants to take care of the household work besides a driver. Both the parties have not placed any

document on record indicating the exact income of the husband, but it is claimed by the husband that though he was earning handsome money earlier but at present he is not earning more than ₹ 96,365/- per month.

Taking into consideration the contentions of both the sides, we are of the opinion that the appellant is a professionally trained Chartered Accountant. He has got an experience of working with renowned companies/offices. Merely because the wife has got degree of MA/B.Ed, is not sufficient enough to deny the maintenance pendente lite.

On the asking of the Court, it has been informed by the wife that w.e.f. 05.06.2017, the appellant has lost his job and is now doing private job as CA. He is not searching the job.

Taking into consideration, the experience and educational qualifications to the credit of the appellant and the pleadings that after 05.06.2017, his income has decreased, the amount of maintenance awarded @ ₹ 30,000/- per month to the respondent-wife is reduced to ₹ 20,000/- per month w.e.f.05.06.2017. However, the appeal is dismissed for the period prior to 05.06.2017. We have also considered the amount of ₹ 10,000/- which is awarded to the child born out of the wedlock. Since he is studying in a good school and the entire responsibility of his upbringing is being undertaken by the respondent-wife, we do not find any ground to interfere with the said amount.

Keeping in view all the above circumstances, this appeal is partly allowed and partly dismissed so far as the period till 05.06.2017 is concerned but after 05.06.2017, the amount of maintenance pendente lite,

would be ₹ 20,000/- per month for the wife without changing the amount of maintenance awarded to the child.

The miscellaneous application, CM-9554-CII of 2017, also stands disposed of with the final disposal of the appeal.

(M.M.S. BEDI)
JUDGE

(AUGUSTINE GEORGE MASIH)
JUDGE

November 24, 2017
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No