

FAO-M-85-2016 (O&M)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

**FAO-M-85-2016 (O&M).
Decided on: December 11, 2017.**

Kulbir Singh

.. Appellant

VERSUS

Rajwinder Kaur

.. Respondent

*** * ***

**CORAM: HON'BLE MR.JUSTICE M.M.S.BEDI
HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH**

*** * ***

**PRESENT Mr.Rohit Ahuja, Advocate,
for the appellant.**

**Mr.Manish Prabhaker, Advocate,
for the respondent.**

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

The appellant has filed the present appeal against the judgment and decree dated 10.9.2015, passed by the Additional Civil Judge (Sr. Divn.), Amritsar, allowing the application under Section 9 of the Hindu Marriage Act, filed by the respondent.

When the appeal was taken up for final hearing, counsel for the appellant has submitted that he be allowed to withdraw the present appeal. An affidavit of the appellant has also been placed on record.

At this stage, it will not be out of place to observe here that vide order dated 16.8.2017, the appellant-husband was required to pay

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maintenance pendente lite @ Rs.25,000/- per month and Rs.55,000/- towards litigation expenses. He has paid only Rs.33,000/- towards litigation expenses which is required to be deducted from the sum of Rs.55,000/-. He has not paid any amount towards maintenance pendente lite determined @ Rs.25,000/- per month w.e.f. 8.9.2016. The appeal otherwise deserves to be dismissed for non-payment of the amount of maintenance pendente lite determined by this Court.

The appeal is dismissed as withdrawn without prejudice to the rights of the respondent to seek execution of the order awarding maintenance pendente lite @ Rs,25,000/- per month as well as the balance of litigation expenses by filing execution before the Court of competent jurisdiction.

(M.M.S. BEDI)
JUDGE

December 11, 2017.
raj arora

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking / reasoned
Whether reportable

Yes / No
Yes / No