

**101+211 CM-18135-CII-2017 in
FAO-M-59-2016 with
CMM-65-2016 and
CM-3218-CII-2016**

**SUMAN
V/S
RAKESH KUMAR**

Present: Ms. Ruchi Sekhri, Advocate, for the appellant.

Mr. Ravi Sodhi, Advocate, for the respondent.

Heard on application under Section 24 of the Hindu Marriage Act.

Application has been opposed on the ground that the appellant is capable of earning and is teaching in a private school.

Learned counsel for the respondent-husband has submitted that the respondent is a poor labourer and is not capable of earning sufficient amount to maintain himself.

We have considered the facts and circumstances of the case.

The appellant had been granted a sum of Rs.3000/- per month as maintenance pendente lite by the lower Court in the year 2014.

Since the respondent is a young, healthy person, capable of earning and is obliged to pay maintenance to his wife during pendency of the matrimonial proceedings, in the interest of justice, we deem it appropriate to grant maintenance pendente lite at the rate of Rs.4,000/- per month to the applicant/appellant/wife with effect from the date of application.

A sum of Rs.35,000/- is assessed as litigation expenses. The sum of Rs.20,000/- already paid towards the interim litigation expenses will be deductible from the said amount.

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The application is allowed in above terms.

For payment of the litigation charges and the arrears of maintenance pendente lite at the rate above said, from the date of application, adjourned to 12.12.2017.

The entire arrears calculated till 30.11.2017 will be paid on the next date of hearing along with the balance of litigation expenses.

Let the reply to application i.e. CM-18135-CII-2017 be filed on the next date of hearing.

In order to explore the feasibility of any amicable settlement, the matter would be sent to Mediation Centre on the next date of hearing subject to respondent paying the arrears of maintenance pendente lite and litigation expenses.

**(M.M.S. BEDI)
JUDGE**

August 30, 2017.
harsha

**(AUGUSTINE GEORGE MASIH)
JUDGE**