

**CMM-129-2016 and
FAO-M-237-2016**

DEEPAK ANAND
VS.
NANDITA ANAND

Present: Mr. S.S. Bains, Advocate
for the appellant.

Mr. Sanjeev Sharma, Advocate
for the respondent.

Applicant-wife, who is respondent in an appeal filed by the husband, seeks maintenance *pendente lite* under Section 24 of the Hindu Marriage Act to the tune of ₹25,000/-.

It is an admitted fact that the non-applicant/husband is working as a Team Manager with Tech Mahindra, IT Park, Chandigarh, and drawing a salary between ₹40,000/- to ₹45,000/- per month.

The applicant-wife claims that she has got no source of income and is shouldering the liability of getting education to the two children born out of the wedlock, who are studying in New Public School, Chandigarh.

Counsel for the non-applicant/husband has submitted that in proceeding under Section 24 of the Hindu Marriage Act before the lower Court, a sum of ₹15,000/- per month was assessed but voluntarily, subsequently a sum of ₹20,000/- was agreed to be paid to the respondent/applicant-wife in the year 2015 as interim maintenance.

Taking into judicial notice of the escalation of prices and the demand of the two minor school going children born out of the wedlock, a sum of ₹22,000/- per month as maintenance *pendente lite* appears to be

reasonable considering the income of the non-applicant/husband. The said amount will be payable with effect from the date of application i.e. August, 2016.

Litigation expenses of ₹50,000/- are assessed to be reasonable amount.

A sum of ₹20,000/- already paid shall be deductible from the said amount.

It is made clear that sum of ₹20,000/- paid under the agreement, will be deductible from the amount of maintenance *pendente lite* ordered by this Court.

The application under Section 24 of the Hindu Marriage Act is allowed accordingly.

For payment of arrears of maintenance and litigation expenses, to come up on 01.02.2018.

Entire arrears as calculated till 28.02.2018 will be paid on next date of hearing.

(M.M.S. BEDI)
JUDGE

November 24th, 2017
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE