

**CMM-94-2014 and
FAO-M-218-2014**

PUSHPA DEVI
VERSUS
SATNAM SINGH

Present: Mr. Parminder Singh, Advocate
for the appellant.

Mr. Harbhajan Dass, Advocate for
Mr. Arun Takhi, Advocate
for the respondent.

Mr. Harbhajan Dass, Advocate has put in appearance on behalf of Mr. Arun Takhi, Advocate and placed on record his own power of attorney also on behalf of respondent.

A sum of Rs.5000/- in the shape of bank draft in the name of appellant-wife has been handed over to her counsel.

Reply to the application under Section 24 of the Hindu Marriage Act has also been filed.

Application under Section 24 of the Hindu Marriage Act has been filed by the appellant-wife claiming a sum of Rs.20,000/- as maintenance *pendente lite* and Rs.25,000/- as litigation expenses on the ground that she is unable to maintain herself being house wife living along with daughter aged about 15-16 years, who is also studying. It is alleged in the application that respondent-husband is serving in Punjab Police and drawing salary of more than Rs.40,000/- per month.

In reply filed to the application, the respondent-husband has denied that his salary is more than Rs.40,000/-. The respondent has averred that his salary has not been correctly mentioned, but exact grade pay and salary has not been mentioned by the respondent. Even the fact that the daughter is being maintained by the applicant-wife has not been denied.

During the course of arguments we were informed that the lower Court awarded a sum of Rs.1500/- per month in the proceedings under Section 125 Cr.P.C. and a sum of Rs.7500/- per month had been determined

as maintenance *pendente lite* by the High Court while deciding Civil Revision No.6922 of 2012 decided on 30.07.2013.

We have heard counsel for the parties and have gone through the facts and circumstances.

It has been urged on behalf of the respondent-husband that he has also to look after his old mother who is stated to be heart patient.

Taking into consideration that the fact in the year 2013, a sum of Rs.7500/- per month was ordered to be paid as maintenance *pendente lite* and also considering the fact that the appellant-wife is looking after the expenses of minor daughter, she is held entitled to a sum of Rs.12,000/- per month as maintenance *pendente lite* with effect from the date of her application i.e. May 2014.

It is not out of place to observe here that the amount of maintenance already paid or to be paid would be adjustable against the amount awarded hereinbefore.

Litigation expenses of Rs.25,000/- would also be payable to the appellant-wife.

The application under Section 24 of the Hindu Marriage Act is allowed in the above terms.

The entire arrears of maintenance *pendente lite* calculated till 28.02.2018 along with litigation expenses be cleared by next date of hearing.

Adjourned to 07.03.2018 for arguments subject to clearing the entire arrears.

[M.M.S. BEDI]
JUDGE

[AUGUSTINE GEORGE MASIH]
JUDGE

November 06, 2017
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