

211 CMM-48-2015 with
CM 6351-CII of 2017 in
FAO-M-243 of 2013

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Anil Kumar Vs. Beena Rani

Present: Mr. Rakesh Sobti, Advocate for the appellant.
Proxy counsel for Mr. H.S. Randhawa, Advocate
for the respondent.

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Misc. application is allowed. Document annexure A-1 is permitted to be taken on record.

This order will dispose of an application under Section 24 of the Hindu Marriage Act filed by the respondent wife.

The application is opposed mainly on the ground that respondent-applicant has been working in the private concern drawing a sum of Rs.15000/- as an Accountant whereas the applicant claims that the appellant/ non-applicant is serving as an Electrician and has got sufficient additional financial support from his parents and his individual income is Rs.8000/- per month besides the additional financial support.

The applicant present in the Court has submitted that she was working for a Company which has already been wound up. In this context, statement of accounts of Indo Swift Limited has been placed on record.

Taking into consideration the totality of the circumstances and considering the fact that the husband is an able bodied person and has got skills as Electrician, his income to the extent of Rs.8000/- to Rs.10000/- can easily be presumed.

Counsel for the non-applicant/ appellant has vehemently contended that the non-applicant remained in jail for some period on account of a case under Sections 406, 498 A IPC registered by the applicant-respondent. He has submitted that he does not have any source of income and that his life has been ruined.

Similar is the contention of counsel for the applicant that the life of the applicant has been ruined with the second marriage of the applicant.

Taking into consideration the entire circumstances of the case, we are of the considered opinion that a sum of Rs.2500/- per month is a reasonable amount to be paid w.e.f. the date of application i.e. February 9, 2015 till September 30, 2016, the date of the relieving of the respondent from the job of the above said Company. Applicant- respondent would be entitled to the interim maintenance at the rate of Rs.3000/- per month w.e.f. October 1, 2016.

The application is allowed in the above terms.

For payment of the arrears of the interim maintenance, now to come up on September 29, 2017.

(M.M.S. BEDI)
JUDGE

August 8, 2017
sanjay

(AUGUSTINE GEORGE MASIH)
JUDGE