

231 **FAO-M-132-2017 with
CMM-72-2017**

**AMANDEEP KAUR
V/S
HARPREET SINGH**

Present: Mr. Munish Khangwal, Advocate, for
 Mr. Manish Kumar Singla, Advocate,
 for the appellant.

Mr. Arvind Kashyap, Advocate for the respondent.

Heard on application under Section 24 of the Hindu Marriage Act seeking maintenance pendente lite @ Rs.10,000/- per month and Rs.33,000/- as litigation expenses during pendency of the appeal on the ground that the respondent-husband is an agriculturist having 4 acres of land and takes 10 to 12 acres of land more on Batai every year and doing the business of dairy farming. It is claimed that monthly income of the respondent is around Rs.70,000/- per month. The appellant-wife claims that she does not have sufficient means and source of income. Application is supported by an affidavit.

Counsel for respondent-husband has opposed the application.

Though the application is supported by an affidavit, no document has, however, been placed on record indicating the ownership or the possession of the respondent-husband over any land from which he might be earning money.

It is pertinent to observe here that before the lower Court, the appellant had been granted maintenance @ Rs.2,000/- per month vide order dated 15.05.2014 besides litigation expenses of Rs.5,000/-.

Taking into consideration the fact that the respondent is an able bodied person, presuming that he is physically and mentally capable of earning as an unskilled labourer, he can be foisted with the liability of payment of a sum of Rs.2500/- per month as maintenance pendente lite and litigation expenses of Rs.33,000/-.

The amount will be payable with effect from the date of application i.e. 12.05.2017. The application under Section 24 of Hindu Marriage Act is allowed in above terms.

For payment of arrears of maintenance and litigation expenses, adjourned to 12.12.2017.

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

August 04, 2017.
harsha

**(AUGUSTINE GEORGE MASIH)
JUDGE**