

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CM-24979-CII-2017 and
RA-CR-212-CII-2017 IN
CR-4384-2015
Date of Decision:01.12.2017**

Vandana Aggarwal and another

...Petitioners

Versus

Pankaj Aggarwal

...Respondent

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.P.S.Khurana, Advocate for the applicant-respondent.
Mr.Yogesh Goel, Advocate for the non-applicants-petitioners.

ANIL KSHETARPAL, J. (ORAL)

CM-24979-CII-2017

For the reasons stated in the application, the same is allowed.

Delay of 21 days in filing the review application is condoned.

RA-CR-212-CII-2017

Respondent-husband has filed a review application against the order dated 14.9.2017, granting the maintenance @Rs.6000/- per month to the applicant-son, who is studying in 9th class.

Learned counsel for the applicant-respondent has submitted that under Section 24 of the Hindu Marriage Act, son was not entitled to any maintenance. He has further submitted that the maintenance cannot be granted from the date of application, whereas it should have been from the date of order. He has also submitted that the child would not be entitled to maintenance beyond the date of 18 years.

I have considered the submissions.

A reading of the order would show that the applicant-respondent had not addressed the aforementioned arguments when the case was heard on 14.9.2017, therefore, in the review application, applicant-respondent cannot be permitted to make submissions which were not addressed at the time when the revision was decided.

The next argument of the learned counsel for the applicant-respondent that the direction has been issued to grant maintenance to the child from the date of application, whereas according to him, it should have been from the date of order. In the considered opinion of this Court, once the application is filed, the delay in disposal of the application by the court cannot be used as a tool to deny proper relief to the applicants.

In view of the above, there is no good ground to review of the order.

Dismissed.

01.12.2017
mks

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No