

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Civil Revision No.1170 of 2018
Date of Decision: December 13, 2018

Manveer Kaur

...Petitioner

Versus

Harjinder Singh

...Respondent

CORAM: HON'BLE MR.JUSTICE AMIT RAWAL

Present: Mr. Sangeet Pal Singh, Advocate,
for the petitioner.

AMIT RAWAL, J.

The present revision is directed against the order dated 25.10.2017 (Annexure P-2), whereby the trial court in an application filed under Section 24 of the Hindu Marriage Act in the divorce petition, has awarded monthly interim maintenance @ ₹ 2000/- and ₹ 4,000/- as litigation expenses.

Mr. Sangeet Pal Singh, learned counsel for the petitioner submitted that Harjinder Singh, husband of the petitioner, as per the jamabandi for the year 2013-14 (Annexure P-3) has 5 marlas of land bearing Khasra No.2581, on which residential house has been constructed, thus, he was the person of means. Income assessed between ₹ 7000-8000/- per month is wholly erroneous. The wife is entitled to maintenance pendente lite as per the status of the husband.

I am afraid that the aforementioned argument is not sustainable as on going through the jamabandi placed on record, it is a Gair Mumkin

Abadi (non cultivable residential) land of 5 marlas. No other document has been placed on record to form an opinion that the income of the husband was more than ₹ 7000-8000 as assessed by the trial court. In the absence of such evidence, no fault can be found with the findings. The order under challenge cannot be said to be erroneous or perverse. The same is upheld. Revision petition stands dismissed.

December 13, 2018
ramesh

(AMIT RAWAL)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No