

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

C.R. No.1932 of 2017 (O&M)
Date of Decision.17.11.2018

Vishal ThakurPetitioner
Vs
Ruchi Thakur ...Respondent

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Surinder Thakur, Advocate
for the petitioner.

Mr. Gurmeet Singh, Advocate
for the respondent.

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AMIT RAWAL J. (ORAL)

The present revision petition has been directed at the instance of the husband against the order dated 09.02.2017 whereby the application of the respondent-wife submitted under Section 24 of the Hindu Marriage Act for grant of maintenance pendente lite by awarding maintenance @₹5000/- per month, has been allowed.

Mr. Surinder Thakur, learned counsel appearing on behalf of the petitioner submitted that as per the facts revealed from the impugned order, concededly the respondent-wife is working in the JCT Limited and drawing salary of ₹10,600/- per month whereas the petitioner is serving as Lecturer in Lovely Professional University, drawing an income of ₹26,000/- per month. He has to look after after his old parents. In such circumstances, the salary earned by the respondent was sufficient for her to enjoy the amenities which she had been enjoying before the matrimonial dispute.

On the other hand, Mr. Gurmeet Singh, learned counsel appearing on behalf of the respondent submitted that there is no

illegality and perversity in the order based upon the decision of this Court as wife is entitled to enjoy the same amenities which she had been enjoying in the company of the husband, thus, prays for dismissal of the revision petition.

I have heard learned counsel for the parties, appraised the paper book and of the view that once the income of the parties is not in dispute, the decision of the Court below while relying upon the ratio decidendi culled out by this Court in **Rajwant Kaur Vs. Jagdeep Singh 2016 (3) RCR (Civil) 90** holding that the wife is entitled to same amenities had she been staying with her husband is correct view. But in the present case, the wife is herself earning certain amount, therefore, in such circumstances, the amount is liable to be modified.

In view of the aforementioned facts, the order under challenge is modified and the maintenance pendente lite is reduced from ₹5000/- to ₹4000/- per month with no change in the litigation expenses. The revision petition is disposed of.

(AMIT RAWAL)
JUDGE

November 17, 2018

Pankaj*

Whether Reasoned/Speaking Yes

Whether Reportable No