

126

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR-2591-2015

Date of decision : 29.05.2018

Ramesh Kumar

... Petitioner(s)

Versus

Nisha @ Guddi

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Kuldeep Attri, Advocate
for the petitioner.

AMIT RAWAL, J. (ORAL)

The present revision petition is directed against the order dated 19.03.2018 (Annexure P-1), whereby an application under Section 24 of the Hindu Marriage Act in a divorce petition has been allowed and the ad-interim maintenance @ ₹5,000/- per month, besides litigation expenses of ₹10,000/-, has been awarded to the respondent-wife.

Learned counsel for the petitioner-husband submits that income of the petitioner is ₹5,000/- and he belongs to below poverty line category and in this regard, yellow ration card has been issued.

When confronted regarding the aforementioned documents being part of the record for the purpose of adjudication of the application, the answer was in 'negative'.

In view of such matter, I am of the view that liberty is required to be granted to the petitioner-husband to raise the plea before the trial

Court for re-adjudication of the application awarding the maintenance @ ₹5,000/- per month taking into consideration the aforementioned facts.

In case such application is moved, the trial Court without influence of the findings rendered in the order dated 19.03.2018 shall decide the matter in accordance with law after affording the opportunity to the respondent-wife.

I do not issue notice of motion as it would save the time of the Court, much less, of the parties and defray the litigation expenses of the other party.

With the aforesaid observations, the present revision petition stands disposed of.

29.05.2018
Yogesh Sharma

(AMIT RAWAL)
JUDGE

	✓
Whether speaking/reasoned	Yes/ No
	✓
Whether Reportable	Yes/ No