

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

Civil Revision No.3186 of 2018 (O&M)

Date of decision: May 14, 2018

Ranjit Singh

...Petitioner

Versus

Gurdeep Kaur

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Harjeet Savra, Advocate
for the petitioner.

INDERJIT SINGH, J.

Petitioner Ranjit Singh has filed this revision petition against respondent Gurdeep Kaur under Article 227 of the Constitution of India for quashing the order dated 16.03.2018 passed by learned Addl. District Judge, Hoshiarpur, vide which learned Court below granted maintenance pendente lite of ₹6,000/- per month and also directed the petitioner to pay ₹7,000/- as litigation expenses to the respondent.

I have heard learned counsel for the petitioner and have gone through the record.

From the record, I find that a divorce petition was filed by petitioner Ranjit Singh against his wife-respondent Gurdeep Kaur and during the pendency of that proceedings, an application under Section 24 of the Hindu Marriage Act was filed by Gurdeep Kaur for grant of interim maintenance as well as litigation expenses. It is stated in the application by

Gurdeep Kaur that she is legally wedded wife of Ranjit Singh and marriage

was solemnized on 03.01.2016. It is further stated that she is facing physical and mental torture at the hands of her husband. Her husband and his family members are very greedy and they were not happy with the dowry articles. She is turned out of the matrimonial home by her husband many times. She is living with her parents as her husband flatly refused to rehabilitate her. It is also stated that her husband never paid any maintenance to her and she is maintaining herself as she is doing temporary job in a school and getting financial help from her parents. Her husband is a medical representative and having income of more than ₹25,000/- per month. She prayed that a sum of ₹15,000/- per month be granted to her as maintenance and ₹40,000/- as litigation expenses.

On the other hand, the petitioner, in reply to the application, denied the averments of the application and stated that Gurdeep Kaur is suffering from mental disorder and it is not safe at all to live with her. It is also stated by the petitioner that he is working as Assistant in a medical shop and earns not more than ₹12,000/- per month, out of which, he has to bear all the expenses of traveling and meet other needs and he is also to look after his old parents. He further stated that applicant Gurdeep Kaur is Government employee and is getting ₹45,000/- as salary.

Vide impugned order dated 16.03.2018, learned Addl. District Judge, Hoshiarpur, granted ₹6,000/- per month as maintenance and ₹7,000/- as litigation expenses to the respondent Gurdeep Kaur.

From the perusal of the impugned order, in no way, grant of ₹7,000/- as litigation expenses can be held as excessive. Further, the averment given in the reply by the present petitioner that respondent is a

corroborated by any documents. Even, at the time of arguments, this fact has not been pressed by learned counsel for the petitioner, which means that present petitioner, in the reply to the application, has made false averments. It is in the application that present petitioner is a Medical Representative and earning ₹25,000/- per month, whereas, he has stated that he is Assistant in a medical shop and not earning more than ₹12,000/- per month, which means that even the petitioner is not giving his specific income and concealing the same.

Similarly, maintenance of ₹6,000/- per month granted by learned Court below cannot be held as excessive, keeping in view the prices of goods of daily necessity. Mere fact that Gurdeep Kaur is working in a private school and earning ₹7,000/-, in no way, can be held as sufficient source of income to maintain herself.

Keeping in view above discussion, I find that no illegality has been committed by learned Court below while granting the maintenance and litigation expenses. The impugned order dated 16.03.2018 passed by learned Addl. District Judge, Hoshiarpur, is correct, as per law and does not require any interference from this Court.

Therefore, finding no merit in the present petition, the same is dismissed.

As the main case is decided, therefore, civil misc. applications, if any, also stand disposed of.

May 14, 2018
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No