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

**CR-3659-2016 (O&M)
Date of decision : 23.4.2018**

Rajesh Arora .... **Petitioner**

Versus

Sonia Arora .... **Respondent**

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Hitesh Pandit, Advocate for the petitioner.

None for respondent.

1. *Whether the Reporters of local newspaper may be allowed to see the judgment ?*
2. *To be referred to the Reporter or not.*
3. *Whether the judgment should be reported in the digest ?*

<u>KULDIP SINGH J. (ORAL)</u>

Impugned in the present revision petition is the order dated 5.4.2016 (Annexure P-4), passed by learned Additional District Judge, Ludhiana, vide which an application filed by applicant-respondent under Section 24 and 26 of the Hindu Marriage Act, 1955 was allowed granting maintenance pendente lite @ Rs. 8,000/- per month to the wife and Rs. 3,000/- per month to the minor children. Petitioner was also ordered to pay Rs. 5,000/- to respondent as litigation expenses.

Learned counsel for the petitioner has not challenged the order so far as it allows Rs. 3,000/- per month as maintenance to the minor children and Rs. 5,000/- as litigation expenses. However, learned counsel for the petitioner has vehemently argued that Rs. 8,000/- per month awarded as maintenance pendente lite to the wife is excessive and on higher side.

It is further contended that wife is running a beauty parlour and is having sufficient source of income.

Learned trial Court has taken into consideration the said averment and has taken the view that except two clicked photographs of the board of beauty parlour and some photocopies of the income tax returns of the applicant-respondent, there is no sufficient evidence to show that respondent is doing any work and is having any source of income.

On the other hand, applicant-respondent filed the reply but did not file any affidavit in support of the same. According to the averments made by the wife-respondent, petitioner is running a factory of plastic molding under the name and style of M/s AAR ESS Enterprises in Ludhiana. He is also doing the business of trading of sanitary goods and also earning Rs. 30,000/- p.m. from the said business, in addition to Rs. 70,000/- per month being earned from factory of plastic molding.

Learned counsel for the petitioner has argued that the factory of the petitioner has already been taken over on account of default of payment of loan and that now the petitioner is already on road and the house is already in the possession of the wife.

I am of the view that at this stage, there is nothing on the file to show that the factory has been taken over by any agency. In any case, it was also alleged that respondent is also having the business of trading of sanitary goods. Respondent is otherwise an able bodied person and a sum of Rs. 8,000/- per month for the wife-respondent in a metropolitan city like Ludhiana cannot be called excessive or on the higher side.

As such, no ground to interfere in the quantum fixed by learned Additional District Judge, Ludhiana.

Dismissed.

(KULDIP SINGH)
JUDGE

23.4.2018
preeti

Whether speaking / reasoned Yes
Whether Reportable: No