

In the High Court of Punjab and Haryana at Chandigarh

.....

Civil Revision No.3604 of 2018

.....

Date of decision:28.5.2018

Sunil Kumar

.....Petitioner

v.

Neena

.....Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

.....

Present: Mr. Rajesh Kumar Garg, Advocate for the petitioner.

.....

Inderjit Singh, J.

This civil revision petition has been filed under Article 227 of the Constitution of India read with Section 151 CPC for setting aside the impugned order dated 21.3.2018 (Annexure-P.1) passed by the learned Additional District Judge, Patiala, vide which an application filed under Section 24 of Hindu Marriage Act, 1955 (hereinafter referred to as 'HMA') for granting interim maintenance and litigation expenses in a petition filed by the respondent-wife under Section 13 of the HMA was allowed in an excessive manner.

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

From the record, I find that in a petition filed under Section 13 of the HMA, an application under Section 24 of the HMA was filed by

Neena-wife against Sunil Kumar-husband for grant of interim maintenance.

The learned Additional District Judge, Patiala, vide impugned order dated 21.3.2018 allowed the application and granted ad interim maintenance @₹12,000/- per month and ₹3,000/- as litigation expenses.

A perusal of the record shows that the marriage between the parties is an admitted fact. There is also nothing on the record to show any source of income of the wife Neena-applicant to maintain herself. The husband (present petitioner) is a Government employee and as per the impugned order he is getting the salary of ₹62,000/- per month after deduction of income-tax. Only ₹12,000/- per month has been granted as interim maintenance. Though the children are stated to be residing with the husband but even then, in no way, grant of litigation expenses of ₹3,000/- and ad interim maintenance of ₹12,000/- per month can be held as excessive specially in view of the prices of the daily needs.

Therefore, in no way, the impugned order dated 21.3.2018 passed by the learned Additional District Judge, Patiala, can be held as illegal. Hence the same is upheld as no interference from this Court is called for.

Finding no merit in this civil revision petition, the same is accordingly dismissed.

May 28, 2018.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No