

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

**CR No.46 of 2016 (O&M)
Date of decision : March 08, 2018**

Mohd. Anwar

..... Petitioner

Versus

Shehnaz

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Mohd. Yousaf, Advocate for the petitioner.
Mr. V.K. Singh, Advocate for the 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 ?

KULDIP SINGH J. (ORAL)

Impugned in the present revision petition is the order dated 16.10.2015 (Annexure P-4) passed by learned Addl. District Judge, Sangrur, vide which the appeal filed by the respondent against the order dated 14.07.2014 (Annexure P-3) passed by learned Civil Judge (Jr. Divn.), Malerkotla, was allowed and the case was remanded to the trial Court for fresh decision.

Heard.

It comes out that the respondent had filed an application under Order XXXIII, Rule 1 & 2 CPC, 1908, for grant of maintenance from her father and recovery of ₹3,00,000/- as marriage expenses under the Muslim Law. The trial Court found that the plaintiff got married on 02.09.2012 and after the marriage, she cannot claim any maintenance from her father. Hence, the application and the suit was dismissed by the learned Civil Judge (Jr. Divn.), Malerkotla. The said order was reversed in appeal by the learned Addl. District Judge, Sangrur, vide judgment dated 16.10.2015.

I am of the view that the application was filed on 20.05.2009. The plaintiff got married on 02.09.2012. Therefore, at least for the period when she remained unmarried, her claim of maintenance is to be decided by the trial Court. Her application and suit could not be dismissed on the ground that now she has married. Therefore, there is no ground to interfere in the impugned order dated 16.10.2015 passed by learned Addl. District Judge, Sangrur.

As such, the present revision petition is dismissed.

(KULDIP SINGH)
JUDGE

March 08, 2018

sarita

Whether speaking / reasoned Yes

Whether Reportable: No