

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

111

CR No.519 of 2016 (O&M)

Date of decision: 03.04.2018

Kulvinder Singh

..... Petitioner

Versus

Urmila

..... Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Karan Singh Malik, Advocate
for the petitioner.

Mr. Sagar Aggarwal, Advocate
for the respondent.

ANIL KSHETARPAL, J. (ORAL)

Husband-petitioner is in the revision petition against the order passed by the learned trial Court fixing maintenance pendente lite @ Rs.15,000/- for the wife and the child. The Court has noticed that the husband is exclusive owner of 12 acres of land whereas 11 acres was in the name of his father who has since died.

Taking into consideration the status of the parties, the learned trial Court has ordered Rs.15,000/- per month.

Learned counsel for the petitioner has vehemently argued that in the proceedings under Section 125, Cr.P.C., the Court had assessed the maintenance at Rs.5,000/- each i.e. total Rs.10,000/- for mother and the child.

The order passed under Section 125, Cr.P.C. does not bind the Court while determining the maintenance pendente lite. In this case, the

learned District Judge after considering all aspects of the matter have determined the maintenance pendente lite at Rs.15,000/-.

Needless to say that the amount payable in the proceedings under Section 125, Cr.P.C. shall be adjusted in absence of any order to the contrary. A reading of the order would show that there is no order to the contrary.

In view thereof, there is no scope for interference in the order passed by the Court.

Revision petition is dismissed.

03.04.2018
Dinesh Bansal

(ANIL KSHETARPAL)
JUDGE

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