

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

CR No.50 of 2018

Date of decision: 09.01.2018

Chander Bhan

...Petitioner

Versus

Priya alias Supriya alias Pushpa

...Respondent

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Naveen Gupta, Advocate,
for the petitioner.

Ritu Bahri, J.

Challenge in this petition is to the order dated 17.05.2016 (Annexure P-1) passed by the Additional District Judge, Jind, whereby application filed by Priya alias Supriya alias Pushpa-respondent (wife) under Section 24 of the Hindu Marriage Act, 1955, has been allowed and petitioner-husband has been directed to pay ad-interim maintenance to the tune of Rs.6000/- per month to her. Petitioner-husband has further challenged the order dated 02.12.2017 (Annexure P-2), whereby his review application has been dismissed by the Additional District Judge, Jind.

Perusal of the order dated 17.05.2016 (Annexure P-1) shows that in her written statement dated 17.10.2015, respondent-wife has taken a specific stand that she was legally wedded wife of the petitioner. She has also admitted her earlier marriage with Gopi Nath. She further stated that said Gopi Nath has died on account of Asthma. From her earlier marriage,

one son namely Nikhil was born. All these facts were known to the petitioner when he solemnized marriage with her.

It is also not in dispute that respondent-wife is suffering from cancer and even if she is owner of a flat, this would not deprive her right to get maintenance from her husband in order to attend the Court proceedings. While allowing ad-interim maintenance of Rs.6000/- per month, the trial Court has observed that the respondent-wife had appeared in person in the Court and at that time, she was severely ill. Even if, income of the petitioner is taken to Rs.12,000/- per month, grant of interim maintenance to the tune of Rs.6000/- per month is not on the higher side. More so, the petitioner-husband was working in UTSAV Hotel and is also running an *Atta Chakki* in his name.

Having examined the impugned orders in the light of aforesaid discussion, no ground is made out to interfere in the impugned order, as no illegally, much less perversity, has been found therein.

Dismissed.

09.01.2018
ajp

(RITU BAHRI)
JUDGE

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