

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

143

CR No.7071 of 2017
Date of decision: 16.05.2018

Birbal Singh @ Babli

..... Petitioner

Versus

Harjinder Kaur @ Rano and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. S.D. Sharma, Sr. Advocate with
Mr. Anupam Sharma, Advocate
for the petitioner.

Mr. Aminder Singh, Advocate
for respondent No.1.

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.10,000/- per month.

Learned Court has noticed that the wife has alleged that the husband is owner of 22 acres of land, however, the husband has not produced any record to prove that he is either not owner of land or he is owner of lesser than what has been alleged.

Learned counsel for the petitioner asserts that the order has been passed only on the basis of presumption which is not permissible in law. He further submits that the Court should have asked for a report from the Revenue Authority.

This Court has considered the submissions, however, do not

find any substance in it. While deciding the application under Section 24 of the Hindu Marriage Act, it is the duty of the parties to produce the documents in support of their case. In the present case, the wife had specifically asserted that the husband is owner of 22 acres of land. Since the husband-petitioner did not produce any document to controvert that assertion, the Court has correctly drawn the adverse inference and passed the order.

In view thereof, this Court does not find any good ground to interfere with the order passed by the learned trial Court.

Revision petition is dismissed.

16.05.2018

Dinesh Bansal

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned

Yes / No

Whether Reportable

Yes / No