

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

107

CR-7847-2013 (O & M)
Date of Decision:07.05.2018

Prabhjit Singh

...Petitioner

Versus

Navneet Kaur

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Baljinder Singh, Advocate
for the petitioner.

Mr. Puneet Jindal, Senior Advocate with
Mr. Lupil Gupta, Advocate
for the respondent.

ANIL KSHETARPAL, J.(Oral)

Learned counsel for the parties are *ad idem* that the order passed by the Court while deciding the application under Section 24 of the Hindu Marriage Act is only for the purpose of determining maintenance pendente lite and such determination does not amount to fixing of maintenance after the period of litigation. It is also agreed that such determination under Section 24 cannot be used as a precedent for determining maintenance pendente lite in other proceedings.

In the present case, it is not disputed that divorce proceeding during which order under challenge was passed has been finally decided and even the first appeal filed against the decree has been withdrawn.

Grievance of the petitioner is that all the Courts are passing orders basing their decision on the interim order passed by the Court while determining maintenance in other proceedings between the parties. Since

the main petition for divorce has come to an end, in the considered view of

this Court, this revision does not survive and is rendered infructuous.

Needless to say that such determination of maintenance under Section 24 of the Hindu Marriage Act is only for the purpose of determining maintenance pendente lite and cannot be construed as a final determination.

Hence, revision petition is dismissed as infructuous.

07.05.2018
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(ANIL KSHETARPAL)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No