

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Civil Revision No.907 of 2018(O&M)
Date of Order: 20.02.2018

Somvir

..Petitioner

Versus

Renu

.. Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Amar Singh, Advocate, for
Mr. B.S.Walia, Advocate
for the petitioner.

ANIL KSHETARPAL, J (Oral)

Husband-petitioner is in revision petition against the order dated 05.07.2016, directing him to start paying maintenance pendente lite @ Rs.8000/- per month along with litigation expenses to the tune of Rs.5500/- and Rs.600/- travelling expenses to the wife on the date of hearing when her presence would be required before the Court.

Learned counsel for the petitioner has submitted that in a separate proceeding, under Section 125 Cr.P.C., learned Judicial Magistrate vide order dated 11.01.2016, had determined the maintenance @ Rs.5000/- per month. He submits that the aforesaid amount has to be adjusted while making the payment under the impugned order.

A reading of the impugned order shows that no such plea was raised before the learned District Judge, Family Court, Rohtak. Ordinarily the maintenance awarded under different provisions have to be adjusted, however, it always depends upon the order passed by the Court.

Since the petitioner has not drawn the attention of the trial

Court to the order passed under Section 125 Cr.P.C., liberty is granted to the

petitioner to move an appropriate application before the learned District Judge, Family Court, Rohtak, seeking adjustment.

If such an application is moved by the petitioner, the learned District Judge would decide the same within two months from today.

The revision petition stands disposed of accordingly.

February, 20, 2018
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned
Whether reportable

YES/NO
YES/NO