

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

CR-970-2014

Date of Decision: 20.11.2018

Dharampal

... Petitioner

Vs.

Shakuntla

... Respondent

CORAM : HON'BLE MR. JUSTICE AMIT RAWAL

Present : Mr. S.P. Chahar, Advocate and
Mr. Chander Shekhar Singhal, Advocate
for the petitioner.

Mr. S.K. Hooda, Advocate
for the respondent.

AMIT RAWAL J. (Oral)

The present revision petition is directed against the impugned order whereby in a proceedings initiated under Section 13 of the Hindu Marriage Act arising out of a marriage having taken place on 20.5.1977, maintenance pendente-lite to the tune of Rs.10,000/- and litigation expenses to the tune of Rs.3300/- have been awarded.

The contention as noticed in the order dated 8.7.2016 was that in a proceedings initiated under Section 125 of the Code of Criminal Procedure, 1/3rd of the pension by way of maintenance had already been paid to the wife which has been noticed by the trial court but has not been taken care of. Petitioner-husband has the responsibility of two sons namely Nitin and Jatin who are studying in Class 7th and 4th respectively.

Per contra allegation of the respondent-wife is that petitioner is keeping one Sudesh as his legally wedded wife with whom he has even performed marriage on 15.5.1996.

On going through the records of the case as well as the

assertion, I am of the view that 1/3rd pension has been released and Rs.10,000/- awarded on account of maintenance pendente-lite is on a higher side. Therefore, in the interest of justice and to maintain equity between the parties, the amount of Rs.10,000/- awarded on account of maintenance pendente-lite is reduced to Rs.7,000/- per month with no change in the litigation expenses. It is made clear that the entire arrears as accrued with effect from the date of application to be paid within a period of two months and maintenance awarded in proceedings under Section 125 Cr.P.C shall be adjusted.

Revision petition stands disposed of accordingly.

20.11.2018
rajeev

(AMIT RAWAL)
Judge

Whether speaking/reasoned **Yes/No**

Whether reportable **Yes/No**