

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

FAO-2912-2016 (O&M)

Date of Decision: 12.11.2018

LOKESH

....*Appellant*

VS.

RITU

...*Respondents*

CORAM: **HON'BLE MR. JUSTICE RAKESH KUMAR JAIN.**
 HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. S.S. Mor, Advocate,
 for the appellant.

Mr. Kartar Singh Malik, Advocate,
for the respondent.

RAKESH KUMAR JAIN, J. (ORAL)

This appeal is filed by the husband who has been unsuccessful in his petition filed under Section 13 of the Hindu Marriage Act, 1955 (for short 'the Act') before the learned trial Court.

The application bearing No. CMM-171-2016 was decided by this Court on 17.05.2018 and maintenance *pendente lite* was fixed @ ₹10,000/- per month payable by the appellant from the date of application i.e. 21.10.2016. The appellant was also directed to pay the interim litigation expenses to the respondent-wife.

Learned counsel for the appellant has submitted that the appellant is not in a position pay the arrears of maintenance *pendente lite* and thus, he has prayed that this appeal may be dismissed for non-prosecution with liberty to file an appropriate application for its revival in case the appellant is willing to pay the maintenance *pendente lite* to the respondent-wife.

Dismissed for non-prosecution with the liberty aforesaid.

It is needless to mention here that the respondent-wife may avail her legal remedy for the recovery of maintenance *pedente lite* from the appellant.

[RAKESH KUMAR JAIN]
JUDGE

November 12, 2018

Ess Kay

[ANUPINDER SINGH GREWAL]
JUDGE