

ANJU  
V/S  
VISHAL

Present: Mr. B.S. Jaswal, Advocate, for the appellant.

None for the respondent.

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Respondent-husband was proceeded ex parte as he had failed to put in appearance despite service having been effected upon him through adult member of his family as per provisions of Order 5 Rule 15 CPC.

The appellant-wife claims maintenance pendente lite @ Rs.12,000/- per month and Rs.25,000/- as litigation expenses claiming that she is unable to earn anything and has got no source of income whereas the respondent-husband is a retired Army personnel who has re-employed and earning a sum of Rs.40,000/- per month from his pension and re-employment.

On asking of the Court, counsel for the appellant informs that the lower Court had fixed a sum of Rs.4500/- per month as maintenance pendente lite in proceedings under Section 24 of the Hindu Marriage Act.

We have considered the said circumstance and taking into consideration the fact that the appellant-wife is looking after the minor child born out of the wedlock and shouldering the entire responsibility of education and bringing up and the escalation of prices since 2011, a sum of Rs.8,000/- is fixed as maintenance pendente lite with effect from the date of application i.e. October, 2016. A sum of Rs.25,000/- is fixed as litigation expenses. The said amount is to be paid by the respondent-husband.

Application under Section 24 of the Hindu Marriage Act is allowed, in the aforesaid manner.

Since the respondent-husband has been proceeded against ex parte for the purpose of application, let copy of the order be sent at the address of the respondent by registered post on furnishing of registered cover by the appellant within a period of one week for compliance of the order.

It is made clear that in case the amount is not paid, necessary adverse legal consequences would follow.

Notice of the main appeal may also be sent to the respondent-husband again by registered post as well as by ordinary process, for 10.05.2018.

**(M.M.S. BEDI)**  
**JUDGE**

**January 24, 2018.**  
*harsha*

**(GURVINDER SINGH GILL)**  
**JUDGE**