

242 **CMM-158-2016 and
FAO-M-378-2016 with XOBJC-62-CII-2017 (O&M)**

**KARAMJIT KAUR
V/S
JARNAIL SINGH AND ANR**

Present: Mr. Amaninder Preet, Advocate,
 for the appellant.

 Mr. Harsh Aggarwal, Advocate,
 for respondent No.1.

CM-8809-CII-2017

The miscellaneous application is allowed.

Delay of 45 days in filing the cross-objections is condoned.

CM-8810-CII-2017

The miscellaneous application is allowed.

Delay of 15 days in re-filing the cross-objections is condoned.

XOBJC-62-CII-2017

The cross-objections are taken on record, to be heard with the
appeal.

FAO-M-378-2016 and CMM-158-2016

Aggrieved by the decree of divorce granted to the husband-
respondent, the appellant-wife has preferred this appeal.

Counsel for the respondent-husband submits that at this stage
the respondent-husband is ready to resume cohabitation.

It has been informed that before the Mediator, some offer was
made by the respondent-husband but the appellant-wife has expressed her
inability to resume cohabitation.

We have heard arguments on application under Section 24 of
the Hindu Marriage Act.

The appellant-wife claims that she has got no source of income whereas the respondent-husband is working as an agriculturist, having six and half acres of land from where he earns Rs.3 lacs per annum. He also deals in the milk selling and earns Rs.20,000/- per month from the said business.

The appellant-wife had been granted a sum of Rs.4,000/- per month for herself and Rs.3,000/- each for the two minor children besides litigation expenses of Rs.5,000/- in proceedings under Section 24 of the Hindu Marriage Act before the lower Court.

The respondent-husband being an able bodied person having agricultural income is held liable for paying maintenance pendente lite as per the statutory and enforceable right of the appellant-wife.

Taking into consideration the escalation of the prices, we deem it appropriate to grant a sum of Rs.15,000/- per month as maintenance pendente lite to the appellant-wife as she is supporting two minor children, born out of the wedlock, and shouldering the said responsibility on behalf of the husband also. It is made clear that any amount awarded in proceedings under Section 125 Cr.P.C would be adjustable against the said amount. A sum of Rs.22,000/-, as claimed in the application, is awarded towards the litigation expenses. The amount of maintenance pendente lite will be payable with effect from the date of application i.e. October, 2016.

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

The parties would again appear before the Mediation and Conciliation Centre of Punjab and Haryana High Court, Chandigarh on

05.03.2018.

The respondent-husband would pay the entire arrears calculated till 31.03.2018 to the appellant on the said date while appearing before the Mediation and Conciliation Centre.

For awaiting the report of Mediation Centre and for further orders, adjourned to 03.05.2018.

(M.M.S. BEDI)
JUDGE

January 23, 2018.
harsha

(GURVINDER SINGH GILL)
JUDGE