

PRESENT Mr.K.S.Dadwal, Advocate,
for the appellant.

Mr.Sandeep Gahlawat, Advocate,
for the respondent.

No reply to the application under Section 24 of the Hindu Marriage Act, has been filed.

Heard on the application under Section 24 of the Hindu Marriage Act, wherein a sum of Rs.10,000/- per month has been claimed as maintenance pendente lite alleging that the respondent has got an income of Rs.20,000/- per month as he is gainfully employed.

The application appears to be vague but the fact remains that the respondent is an able bodied person capable of earning and as such, he cannot be absolved of his liability under Section 24 of the Hindu Marriage Act. A sum of Rs.3,000/- per month is assessed to be reasonable amount as similar amount had been awarded by the lower Court.

The misc. application under Section 24 of the Hindu Marriage Act is allowed and a sum of Rs.3,000/- per month is awarded as maintenance pendente lite with effect from the date of application i.e. November 2015. Litigation expenses to the tune of Rs.20,000 are also awarded. A sum of Rs.10,000/- earlier paid towards litigation expenses will be deductible from the amount of Rs.20,000/- awarded as litigation expenses today.

For payment of entire arrears of maintenance pendent lite calculated upto 31.5.2018 as well as remaining litigation expenses of Rs.10,000/-, adjourned to 4.5.2018.

At this stage, counsel for the respondent has submitted that he has got no instructions to pay the balance amount of interim litigation expenses of Rs.10,000/-. He has also stated that the respondent is not in communication with him.

In above circumstances, we deem it appropriate to dispose of the appeal finally on merits as the record has already been received.

Adjourned to 4.5.2018, for final arguments.

In case the respondent pays a sum of Rs.10,000/-, the balance of interim litigation expenses, besides arrears of maintenance pendente lite as assessed above, he would be permitted to contest the appeal otherwise his defence will be struck off on account of non-payment of maintenance pendente as well as remaining interim litigation expenses.

(M.M.S. BEDI)
JUDGE

February 2, 2018.
raj arora

(GURVINDER SINGH GILL)
JUDGE