

RAKESH KUMAR VS KANCHAN BALA

**PRESENT Mr.Krishan Singh Dadwal, Advocate,
for the appellant-husband.**

**Mr.Dinesh Nagar, Advocate,
for the respondent-wife.**

Mr.Krishan Singh Dadwal, Advocate, has filed fresh power of attorney on behalf of the appellant with no objection from the earlier counsel.

Misc. application is allowed.

Reply to the application under Section 24 of the Hindu Marriage Act along with Annexures A1 and A2, is permitted to be taken on record.

Costs of Rs.5,000/- pursuant to order dated 14.3.2018, has been paid in cash to the wife present in the Court today.

Taking into consideration the income of the husband to be Rs.35,000/-, the lower Court in proceedings under Section 24 of the Hindu Marriage Act had awarded a sum of Rs.10,000/- per month as maintenance pendente lite to the wife (respondent in the present appeal) to maintain herself and the minor daughter.

During pendency of the appeal, application under Section 24 of the Hindu Marriage Act has been filed claiming that the respondent-wife has got no source of income whereas the appellant-husband, a government teacher, is earning a sum of Rs.56,527/- per month.

The appellant-husband has filed the reply pleading therein that the respondent-wife is M.A. B.Ed and earns a sum of Rs.25,000/- per month by doing tuition work as well as by teaching in a private school. The details of the tuition work etc. have not been disclosed as such, considering the amount of maintenance pendente lite awarded by the lower Court, we deem it appropriate, in the interest of justice, to grant a sum of Rs.18,000/- per month as maintenance pendente lite taking into consideration the fact that the respondent-wife has not only to maintain herself but also to bring up minor child born out of the wedlock who at present is staying with the respondent-wife. The said amount will be

payable from the date of application i.e. October 2017. Litigation expenses to the tune of Rs.30,000/- are also awarded to the respondent-wife.

Any amount already paid will be deductible from the amount awarded today.

Application under Section 24 of the Hindu Marriage Act, stands disposed of accordingly.

For payment of entire arrears of maintenance pendente lite calculated till 30.9.2018, as well as litigation expenses, to come up on 30.9.2018.

(M.M.S. BEDI)
JUDGE

April 30, 2018.
raj arora

(GURVINDER SINGH GILL)
JUDGE