

**DEVENDER
V/S
MAMTA**

Present: Ms. Monika Singh, Advocate, for
Mr. Anil Kumar Gahlawat, Advocate, for the appellant.

Mr. I.P.S. Kohli, Advocate,
for the respondent.

Civil miscellaneous application (CM-4215-CII-2018) is allowed and reply to the application under Section 24 of the Hindu Marriage Act is permitted to be taken on record.

Aggrieved by the dismissal of his petition for divorce and against the dismissal of her petition under Section 9 of the Hindu Marriage Act, two separate appeals have been filed by the husband and the wife which are pending before this Court as FAO-M-78-2017 titled as Devender Vs. Mamta and FAO-824-2016 titled as Mamta Vs. Devender.

An application under Section 24 of the Hindu Marriage Act has been filed by the applicant/respondent-wife for grant of maintenance pendente lite at the rate of Rs.20,000/- per month and litigation expenses of Rs.50,000/-. The applicant/respondent-wife claims that she is not doing any work whereas the non-applicant/appellant-husband is running a construction company and earning a reasonably good amount.

Since the allegations in the reply are vague, on asking of the Court, it has been informed that the applicant/respondent-wife had been granted a sum of Rs.7500/- per month but it was later on reduced to Rs.5000/- per month by this Court in proceedings under Section 24 of the Hindu Marriage Act in the month of March, 2017.

Taking a judicial notice of the escalating prices, we deem it appropriate to grant maintenance pendente lite at the rate of Rs.7000/- per month with effect from the date of application i.e. August, 2017. Litigation expenses are assessed as Rs.35,000/-. A sum of Rs.20,000/-, earlier paid, will be deductible from the amount of Rs.35,000/-.

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

For payment of the entire arrears of maintenance pendente lite calculated till 31.12.2018 and balance of litigation expenses, adjourned to 13.12.2018.

(M.M.S. BEDI)
JUDGE

September 10, 2018
harsha

(ANUPINDER SINGH GREWAL)
JUDGE