

235 CMM 128 of 2017 in
FAO –M-135 of 2015

Paramjit Singh Vs. Sarabjit Kaur

Present: Mr. Akashdeep Singh, Advocate for the applicant.

Mr. Amandeep Singh, Advocate for the respondent.

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This order will dispose of an application under Section 24 of the Hindu Marriage Act filed by the respondent wife against in his appeal against the judgment dismissing his petition for divorce.

It is averred by the applicant- wife that the husband is owner of agriculture land measuring 5 acres and running the business of hosiery in District Ludhiana. She had been granted maintenance pendentalite in proceedings under Section 24 of the Hindu Marriage Act, for short 'the Act', in the year 2013 to the tune of Rs.3500/-per month. In the year 2012 in proceedings under Section 125 Cr.P.C. the wife had been granted maintenance pendente lite at the rate of Rs.2000/- per month and a sum of Rs.4000/- per month to the children.

Counsel for the non-applicant / husband has contended that he has got no source of income. Counsel for the husband has denied the ownership of the agriculture land. It is claimed that he is merely a labourer.

We have considered the facts and circumstances of this case. The wife admittedly is looking after two growing up minor children. Their expenses for education are being borne through the applicant-wife. The amount of Rs.2000/- which was awarded for the application in the year 2012 in

proceedings under Section 125 Cr.P.C. and sum of Rs.3500/- awarded in the year 2013 deserves to be enhanced in view of the judicial notice taken up by this Court regarding the rise in prices. The applicant is held entitled to maintenance pendente lite at the rate of Rs.10000/- per month. The amount will be payable w.e.f. the date of the application i.e. August 2017. It is made clear that sum of Rs.6000/- paid by the respondent/ husband would be deductible from sum of Rs.10000/-. Respondent husband will also be liable to pay a sum of Rs.30000/-. Sum of Rs.20000/- already paid will be deductible from the said amount.

For payment of arrears of maintenance and litigation expenses, adjourned to November 28, 2018.

Parties are directed to appear before the Mediation and Conciliation Centre of Punjab and Haryana High Court on August 21, 2018 for some amiable settlement.

For report of the mediator, to come up on the date fixed.

(M.M.S. BEDI)
JUDGE

August 1, 2018
sanjay

(ANUPINDER SINGH GREWAL)
JUDGE