

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRR(F)-6424-2018 (O&M)
Date of Decision:- 21.12.2018

Balwinder

... Petitioner

Versus

Parmila and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Ajay Vijarania, Advocate, for the petitioner.

GURVINDER SINGH GILL, J. (Oral)

By way of filing this petition, the petitioner assails order dated 14.11.2018 passed by Principal District Judge, Family Court, Bhiwani wherein while granting interim maintenance during pendency of application under Section 125 Cr.P.C, the learned Judge has awarded maintenance @ ₹5500/- per month (₹2500/- for respondent No.1 and ₹1500/- each for respondents No.2 and 3).

Learned counsel has submitted that in fact in proceedings under Section 13 of the Hindu Marriage Act, pending amongst the parties, maintenance pendente lite @ ₹3000/- has already been awarded to respondent No.1 vide order dated 21.5.2018 (Annexure P-1) and that another sum of ₹3000/- has also been ordered to be paid as maintenance in proceedings under the Domestic Violence Act vide order dated 10.5.2018 (Annexure P-2).

Having heard the learned counsel for the petitioner, I find the interim maintenance as awarded by trial Court is found to be just and fair and cannot be said to be unreasonable. There is no ground to interfere with the impugned order and the same is upheld. However, it is clarified that the amount of compensation as awarded vide impugned order dated 14.11.2018 shall not be in addition to the compensation already awarded in application under Section 24 of the Hindu Marriage Act or in proceeding under the Domestic Violence Act and that the amount awarded in the said proceedings shall be deemed to be adjusted in the amount of ₹5500/- awarded vide order dated 14.11.2018 since the said amount is more than the amount awarded in the other two proceedings. The petition stands dismissed with the aforesaid clarification.

December 21, 2018

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No