

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

FAO No. 7418 of 2018

Date of Decision: 10.12.2018

SANDEEP DALAL

..... Appellant

V/s.

DEEPTI

....Respondent

CORAM: HON'BLE MR. JUSTICE RAKESH KUMAR JAIN.

Present: Mr. Ramesh Hooda, Advocate
for the appellant.

RAKESH KUMAR JAIN, J. (Oral)

The husband is in appeal against the order dated 03.11.2018 passed by the Family Court, Rohtak on an application filed by the respondent-wife under Section 24 of the Hindu Marriage Act, 1955 (for short 'the Act') for grant of maintenance *pendente lite* and litigation expenses.

The marriage of the parties was solemnized on 12.06.2009 as per Hindu Rites at Rohtak. The respondent-wife has filed a petition under Section 13 of the Act for dissolution of her marriage on the ground of cruelty. During the pendency of the said petition, she also filed an application under Section 24 of the Act for grant of maintenance *pendente lite* and litigation expenses. The learned Family Court has awarded ₹10,000/- per month towards maintenance *pendente lite* from the date of filing of the application. It is observed in the impugned order that the appellant-husband is studying in Germany and being an able bodied person is expected to earn more than the minimum wages whereas the respondent-wife who is already having a child also has to bear the extra expenses.

Although, learned counsel for the appellant has vehemently argued that the amount of maintenance *pendente lite* is on the higher side but

after considering the aforesaid facts and circumstances and specially the fact that the appellant is studying in Germany, we are of the considered opinion that the appellant-husband can afford to make payment towards maintenance *pendente lite* to the respondent-wife who has also to look after the minor child.

With these observations, the present appeal is dismissed.

**[RAKESH KUMAR JAIN]
JUDGE**

December 10, 2018

Ess Kay

**[ANUPINDER SINGH GREWAL]
JUDGE**