

**2 RA-CR-93-CII-2018 in CMM-149-2017 in FAO-M-416-2016
DINESH JOSHI VS KIRNA DEVI @ KIRNA RANI**

**PRESENT Mr.Avnish Mittal, Advocate,
for the applicant-appellant.**

Mr.A.S.Salar, Advocate, for the respondent.

This order will dispose of the review application filed by the applicant-appellant/husband for modification of order dated 30.4.2018, by virtue of which the applicant-appellant/husband has been directed to pay maintenance pendent lite @ Rs.20,000/- per month w.e.f. September 2017.

The applicant-appellant/husband has disputed his earning capacity on the basis of the documents appended. The documents appended have been contradicted by the counsel for the respondent/wife.

Counsel for the applicant-appellant/husband has submitted that the applicant-appellant/husband will be unable to pay any amount of maintenance on account of he being not earning adequately despite the fact that he has got capacity to earn on the basis of his educational qualifications.

Without entering into the inquiry regarding the sources of income of the applicant-appellant/husband, we deem it appropriate to reduce the amount of maintenance pendente lite from Rs.20,000/- per month to Rs.18,000/- per month which shall be payable with effect from the date of application i.e. September 2017. The amount has been reduced on the condition that the entire arrears of maintenance pendente lite calculated @ Rs.18,000/- per month with effect from the date of application i.e. September 2017, will be paid to the respondent/wife on next date of hearing.

Review application stands disposed of accordingly.

**(M.M.S. BEDI)
JUDGE**

**July 13, 2018.
raj arora**

**(GURVINDER SINGH GILL)
JUDGE**