

**101 RA-CR-134-CII-2018
CM-12674-CII-2018
CM-12675-CII-2018 in FAO-8110-2015**

**VIKAS AHLAWAT
V/S
ANUPAMA AHLAWAT**

Present: Mr. V.K. Sachdeva, Advocate,
for the applicant/appellant-husband.

Miscellaneous applications i.e. CM-12674-CII-2018 and CM-12675-CII-2018 are allowed. Documents Annexure A-1 to A-11 are permitted to be taken on record.

The respondent-wife has been granted maintenance pendente lite at the rate of Rs.35,000/- per month while deciding her application under Section 24 of the Hindu Marriage Act taking into consideration the fact that the appellant-husband is a member of Indian Administrative Services (Allied). The factor, the respondent-wife has to maintain a minor child, had been taken into consideration. While deciding the application, we had also taken into consideration that factum of a sum of Rs.30,000/- per month which was awarded as maintenance pendente lite in proceedings under Section 24 of the Hindu Marriage Act in the year 2013 by the lower Court.

The review has been sought by counsel for the applicant/appellant mainly on the ground that during pendency of the application under Section 24 of the Hindu Marriage Act filed by the respondent-wife, she had got regular job of Assistant Professor in G.M.N College, Ambala Cantt. Copy of appointment letter dated 27.10.2017 has been relied upon in support of the said contention.

We have heard learned counsel for the applicant/appellant and carefully gone through the facts and circumstances of the case for review of the earlier order of maintenance.

Contentions raised by counsel for the applicant-appellant were actually considered at the time of passing of order dated 24.05.2018 observing that the wife is entitled to be maintained commensurate with the status of her husband.

Counsel for the appellant-husband while pressing his application for review, has vehemently urged that when the earlier application was decided, he did not have the appointment letter issued to the respondent-wife.

We have considered the said contention of counsel for the applicant-appellant and find that vide order dated 24.05.2018, we had merely granted an additional sum of Rs.5000/- to the wife in addition to what she was awarded under Section 24 of the Hindu Marriage Act in the year 2013 by the lower Court. The said Rs.30,000/- included sum of Rs.10,000/- which the wife had to spend for the maintenance of the child.

After reconsidering the circumstances and considering the status of the appellant-husband, we find the service of the husband entail large number of perks and additional benefits which cannot be assessed in terms of money. Those factors had been kept in mind while making an observation that the respondent-wife is entitled to be maintained commensurate with the status of the husband.

In view of the above, we do not find any ground to review the order and to reduce the sum of Rs.35,000/- which has been ordered as

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maintenance pendente lite taking into consideration the fact that the respondent-wife is shouldering the responsibility of looking after the minor daughter single handed.

Review application i.e. RA-CR-134-CII-2018 is dismissed.

(M.M.S. BEDI)
JUDGE

September 07, 2018
harsha

(HARI PAL VERMA)
JUDGE