

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

C.R. No. 2534 of 2018 (O&M)
Date of Decision: May 07, 2019

Virender

... Petitioner

Versus

Ritu

... Respondent

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. C.R. Dahiya, Advocate,
for the petitioner.

Mr. Ashutosh Kaushik, Advocate,
for the respondent.

Amit Rawal, J. (Oral)

Present revision petition is directed against the impugned order dated 06.12.2017 (Annexure P/1) whereby petitioner-husband has been directed to pay Rs. 40,000/- (Rs. forty thousands) as maintenance pendente-lite to the respondent-wife.

Mr. C.R. Dahiya, learned counsel, appearing on behalf of the petitioner-husband, submitted that during the pendency of the petition under Section 13 of the Hindu Marriage Act, in proceedings under Section 125 Cr.P.C., matter was referred to the Lok Adalat and the petitioner-husband has undertaken to make payment of an amount of Rs. 25,000/- per month to the respondent-wife and an amount of Rs. 10,000/- per month to his son as maintenance allowance. In this regard, certified copy of order dated

20.04.2019 has been shown to this Court. Statement of the respondent-wife made before the Additional Principal Judge, Family Court, Hisar, reads as under:-

“Case No. 215-II

Date of Instt. 1.9.16,

DOD/DOH 20.4.19

- 1. Ritu wife of Virender Singh daughter of Harcharan Poonia,*
- 2. Havish, aged 4 years, minor son of Virender Singh (Minor through his mother and natural guardian Smt. Ritu wife of Virender Singh) both residents of House No. 1282, UE-II, Hisar.*

... Applicants/Petitioners

Versus

Virender Singh son of Jaidev, R/o 1675/4, Rajinder Seth Colony, Khatu Shyam Mandir, Ambala Raod, Kaithal

... Respondents

Application under Section 125 Cr.PC for ordering maintenance to the applicant-petitioner from the respondent.

Mrs. Ritu, aged about 33 years, wife of Virender, resident of House No. 1282, Urban Estate-II, Hisar

... Petitioner No.1

On S.A.

Stated that the matter in dispute between the parties stood compromised in daily Lok Adalat. I on my behalf as well as on behalf of my minor son Havish i.e. the petitioner No.2, undertake that except for the above amount, from today onwards we shall not claim any other amount as of maintenance allowance from the respondent in any other Court. I on my behalf as well as behalf of my minor son i.e. the petitioner No.2 thus withdraw the present petition being compromised in the

daily Lok Adalat.

RO & AC

Sd/-

Sd/- (Ritu)

*(Aman Deep Dewan)
Additional Principal Judge,
Family Court, Hisar
UID No HR0144
While sitting in the daily Lok Adalat”*

In view of this, order of the trial Court dated 06.12.2017 (Annexure P/1) is modified to the extent that petitioner shall pay an amount of Rs. 35,000/- per month as maintenance pendente lite allowance instead of Rs. 40,000/- per month, to the respondent wife.

Learned counsel for the petitioner further submitted that petitioner has deposited the amount in pursuance of order dated 20.04.2018 wherein this Court had directed him to deposit entire arrears till date before the trial Court. If, this is the case, the same shall be adjusted.

Revision petition stands disposed of accordingly.

May 07, 2019
vkd

(Amit Rawal)
Judge

Whether reasoned / speaking : Yes

Whether reportable : No