

In the High Court of Punjab and Haryana at Chandigarh

257

CR No.587 of 2019

Date of decision: 28.2.2019

Summi

.....petitioner

Versus

Vikas

.....respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr.Dinesh Nagar, Advocate with
Ms.Rupali Shekhar Verma,
for the petitioner.

RAJ MOHAN SINGH, J.(oral)

Impugned order was passed on the application filed by the respondent for adjustment of the amount of maintenance paid by the husband to the petitioner-wife in a petition under Section 12 of the Protection of Women from Domestic Violence Act, 2005 for maintenance of the minor child pending in the Court of ACJM, Sultanpur Lodhi District Kapurthala. It is not in dispute that an amount of ₹ 6,000/- per month each was awarded as maintenance to the petitioner in the proceedings under Protection of Women from Domestic Violence Act, 2005 as well as under Section 24 of the Hindu Marriage Act. The application filed by the petitioner, for the grant of maintenance

for the minor, is still pending consideration before the competent Court under the Protection of Women from Domestic Violence Act, 2005.

Petitioner is aggrieved by the observations to the contrary made in the impugned order. Since the application for grant of maintenance for minor child is pending consideration before the competent Court, therefore, the Court shall not be influenced by any of the observation made in the impugned order in respect of entitlement of minor child as the amount of maintenance was only fixed qua the entitlement of the petitioner in both the proceedings i.e. under Section 12 of the Protection of Women from Domestic Violence Act, 2005 and under Section 24 of the Hindu Marriage Act.

Petition stands disposed of accordingly.

February 28, 2019
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(RAJ MOHAN SINGH)
JUDGE

Whether reasoned/Speaking

Yes/No

Whether reportable

Yes/No