

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No.7528 of 2018(O&M)
Date of Decision: 09.05.2019

Sarita

.....Petitioner

Versus

Desh Raj

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. J.P. Sharma, Advocate
for the petitioner.

Mr. Vijay Sangwan, Advocate
for the respondent.

RAJ MOHAN SINGH, J.(Oral)

[1]. This revision petition has been preferred against the order dated 08.08.2018 passed by District Judge, Narnaul vide which application filed by the petitioner under Section 24 of the Hindu Marriage Act was dismissed primarily on the ground that the petitioner is getting monthly remuneration from Government of Haryana.

[2]. Marriage between the parties was solemnized on 10.12.2015. No issue took birth from the wedlock. Petitioner has filed petition under Section 13 of the Hindu Marriage Act along

with application under Section 24 of the Hindu Marriage Act for claiming maintenance *pendente lite* and litigation expenses. Petitioner is a *Panch* of the Gram Panchayat and she is getting an amount of Rs.1000/- as fixed honorarium. The said fact has been taken against the petitioner for rejecting her claim of maintenance *pendente lite*.

[3]. District Judge, Narnaul has not adverted to any such fact while dismissing the application. In my considered opinion, the aforesaid fact cannot be taken to be a valid ground for rejecting the claim of the petitioner. Impugned order is non-speaking and is not legally sustainable.

[4]. In view of above, impugned order is set aside. This revision petition is accordingly allowed. District Judge, Narnaul is directed to re-visit the issue and pass appropriate order afresh after taking into consideration the *prima facie* material on record.

09.05.2019

Prince

(RAJ MOHAN SINGH)
JUDGE

Whether reasoned/speaking
Whether reportable

Yes/No
Yes/No