

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Civil Revision No.8122 of 2017
Date of Decision: April 30, 2019

Rakesh Kumar

...Petitioner

Versus

Indu Bala

...Respondent

CORAM: HON'BLE MR.JUSTICE AMIT RAWAL

Present: Mr. Bhupinder Singh, Advocate for
Mr. R.K.Arya, Advocate,
for the petitioner.

AMIT RAWAL, J. (Oral)

The present revision petition is directed against the impugned order dated 25.09.2017 (Annexure P-6), whereby in a divorce petition of 2017 titled as “Rakesh Kumar Versus Indu Bala”, on receipt of the application filed by the respondent-wife under Section 24 of the Hindu Marriage Act, the trial Court has awarded ₹ 10,000/- per month as maintenance *pendente lite* along with ₹ 5,000/- as litigation expenses.

Mr. Bhupinder Singh Advocate for Mr. R.K.Arya, learned counsel for the petitioner-husband submitted that the petitioner has old age parents to look after and also obtained loan, whereas the respondent-wife is serving as a Senior Lab Attendant and drawing salary of ₹ 28,500/- per month. Keeping in view the status of the parties and the salary, maintenance of ₹ 10,000/- per month is on the higher side.

There is no representation on behalf of the respondent despite service as indicated in the previous order as well. Even fresh notice issued

for today reflects that the service has been effected through father.

I have heard the learned counsel for the petitioner and appraised the paper book.

Keeping in view the fact that both the parties are working and the petitioner is drawing ₹ 51,000/- per month as salary and has old age parents to look after vis-a-vis the salary of the wife of ₹ 28,500/- per month, the amount of maintenance awarded is little on the higher side. This Court, vide order dated 24.01.2019, had stayed the maintenance *pendente lite* beyond ₹ 7,000/-.

In my view, it would be in the fitness of things to reduce the maintenance *pendente lite* from ₹ 10,000/- to ₹ 7,000/- per month. The order is accordingly modified. The petitioner-husband is directed to clear the arrears within one month from the receipt of certified copy of the order, otherwise the order passed by the trial Court shall be restored.

April 30, 2019
ramesh

(AMIT RAWAL)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No