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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**Civil Revision No.2162 of 2019
Date of Decision: 29.03.2019**

NARINDER KUMAR

.....Petitioner

Vs

SARABJIT KAUR

....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. G.S. Jagpal, Advocate
for the petitioner.

RAJ MOHAN SINGH, J. (Oral)

[1]. This revision petition has been preferred against the order dated 18.12.2018 passed by the District Judge (Family Court) Shaheed Bhagat Singh Nagar, vide which application filed by the respondent under Section 24 of the Hindu Marriage Act, 1955 was allowed.

[2]. Respondent-wife has been granted interim maintenance of Rs.10,000/- per month for herself and Rs.10,000/- for the minor son in the proceedings under Section 125 Cr.P.C.

[3]. In para No.6 of the impugned order it has been observed by the District Judge (Family Court) Shaheed Bhagat Singh Nagar that grant of maintenance under Section 125

Cr.P.C. has no ground to bar the wife from availing remedy under Section 24 of the Hindu Marriage Act, though the wife can recover maintenance from one Forum only.

[4]. Concededly, the husband is in arrears of maintenance in both the proceedings. An application under Section 151 CPC has been filed by the respondent-wife for dismissal of the divorce petition on the ground of non-payment of arrears of interim maintenance granted in her favour under Section 24 of the Hindu Marriage Act.

[5]. After arguing this case for some time, learned counsel for the petitioner wishes to withdraw this revision petition with a liberty to file reply to the aforesaid applications.

[6]. Dismissed as withdrawn with the aforesaid liberty.

March 29, 2019

Atik

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No