

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

CR-3532-2019 (O&M)
Date of decision: 27.05.2019

Devender

...Petitioner

Versus

Mukesh

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. Chanderhas Yadav, Advocate for the petitioner.

H.S. MADAAN, J. (Oral)

The revisionist, who is respondent in petition under Section 24 of the Hindu Marriage Act, filed by his wife-Mukesh against him in the divorce petition brought by the revisionist against his wife, is aggrieved by order dated 28.02.2019, passed by District Judge, Jhajjar, allowing maintenance pendente lite @ Rs.5000/- per month, besides Rs.5000/- as litigation expenses.

I have heard learned counsel for the revisionist besides going through the record and I find that there is no merit in the revision petition. The trial Court while allowing the application under Section 24 of the Hindu Marriage Act filed by the applicant/wife has taken into consideration that the respondent is a man of means, having 05 acres of agricultural land, whereas, the applicant is not having any source of income and is unable to maintain herself. The fact cannot be lost sight of that 05 acres of land, even if given on rent, can easily fetch Rs.2 lacs per

annum as rent. Though, learned counsel for the revisionist has contended that most of the land owned by the plaintiff is barren but a perusal of khasra girdawari of his land placed on record by the revisionist himself as Annexure P-4 goes to show that he is in self cultivation of the land and has planted Eucalyptus tress therein, which after some time can yield considerable return. The petitioner is an able bodied young man. He cannot escape his liability to maintain his wife, who is not in a position to maintain herself. The things of basic needs are getting very costly these days and a sum of Rs.5000/- per month awarded cannot be said to be on higher side. As such, I do not see any reason to interfere with the impugned order and to reduce the amount of maintenance granted by the trial Court. The revision petition being without merit stands dismissed.

27.05.2019

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(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No