

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

C.R. No.3622 of 2019

Date of Decision.29.05.2019

Ram Naresh

...Petitioner

Vs

Seema

..Respondent

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Jitender S. Chahal, Advocate
for the petitioner.

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AMIT RAWAL J. (ORAL)

The present revision petition is directed against the impugned order whereby in divorce petition filed by the petitioner against the wife, an application under Section 24 of the Hindu Marriage for maintenance pendente lite @₹10,000/- has been awarded.

Mr. Chahal, learned counsel appearing on behalf of the petitioner submitted that the marriage between the parties was solemnized on 3.1.2016. Owing to differences between husband and wife, the divorce petition was filed. The Family Court vide order dated 03.4.2019 allowed the application under Section 24 of the Hindu Marriage Act which was sought to be reviewed, as the petitioner is working in the Indian Oil Corporation on a salary of ₹31,500/- per month whereas the respondent wife is running a beauty parlour and earning ₹60,000/- per month. The finding of the Court below with regard to lodging and boarding expenses while taking into consideration her residence at Ambala is incorrect as she is resident of Kurukshetra. Ambala is her parental house, thus, amount of

maintenance pendente lite is on higher side.

I am afraid aforementioned argument would not be sustainable, as no such evidence, prima facie, placed on record to establish income of the wife . The maintenance pendente lite granted to the wife @₹10,000/- is most reasonable and in proportion to the income of the husband. However, the amount assessed through the impugned order cannot be said to be final, as it can always be modified during the course of proceeding, in case evidence is placed on record regarding income of the wife.

In view of aforementioned observation, while upholding the order under challenge, the revision petition stands disposed of.

(AMIT RAWAL)
JUDGE

May 29, 2019
Pankaj*

Whether speaking/reasoned Yes

Whether reportable No