

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

**CR No.4625 of 2019(O&M)  
Date of Decision: 14.10.2019**

**Makhan Singh**

**.....Petitioner**

**Versus**

**Manjit Kaur**

**.....Respondent**

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

Present:Mr. Jasvir Singh Dhaliwal, Advocate  
for the petitioner.

Mr. Rishu Garg, Advocate  
for the respondent.

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**RAJ MOHAN SINGH, J.**

[1]. Vide order dated 25.07.2019, notice of motion was issued subject to deposit of an amount of Rs.15,000/- by the petitioner in the registry of this Court payable to the respondent as litigation expenses on her appearance. Both the parties were also directed to appear in this Court today.

[2]. In pursuance of aforesaid order, both the parties have appeared in person. Interaction with the parties did not yield any positive result.

[3]. I have heard learned counsel for the parties.

[4]. Petition under Section 13 of the Hindu Marriage Act has been filed by the petitioner for dissolution of marriage by way of decree of divorce on the ground of cruelty and desertion.

[5]. During pendency of the aforesaid petition, respondent wife filed an application under Section 24 of the Hindu Marriage Act for grant of maintenance *pendente lite* and litigation expenses. Respondent has knee problem. According to the case set up by her in the application under Section 24 of the Hindu Marriage, her parents have spent huge amount on her treatment as the petitioner husband has refused to pay the expenses towards her treatment. Respondent does not own any moveable or immoveable property and has no source of income from any other evocation. She stated that the husband belongs to well off family having 88 kanals of land, house, car and tractor. Petitioner is involved in an agricultural pursuit and dairy farming with his father. The total income of the husband and his family members has been claimed to be Rs.1,00,000/- per month. She claimed maintenance *pendente lite* to the tune of Rs.30,000/- per month, besides claiming litigation expenses to the tune of Rs.15,000/-.

[6]. The marriage was solemnized on 07.02.2008. Out of the wedlock, female child namely Harmanjot Kaur took birth on 11.12.2010. The child is in the company of the petitioner.

Respondent pleaded that she has been neglected by the petitioner without any reasonable cause. She showed her willingness to join the matrimonial house, but the petitioner husband has refused to take her back in the matrimonial house. Maintenance *pendente lite* is payable to the wife only to prevent vagrancies and destitution. At the same time, the amount should not be such so as to impede the very prospects of reconciliation between the parties and result in profitable mechanism for the wife.

[7]. District Judge, Mansa has fixed an amount of Rs.10,000/- per month as maintenance *pendente lite* to the wife and an amount of Rs.3000/- as litigation expenses.

[8]. In my considered opinion, the aforesaid amount is not on the higher side warranting interference. In these days of soaring prices, the respondent cannot maintain herself as well as bear recurring expenses towards her treatment in the sum of Rs.10,000/- per month.

[9]. At this stage of litigation, some guess work has to be done. It is equally true that the respondent wife is also entitled to live as per status of her husband. The income of the husband and his family may have been quoted slightly on higher side, but it does not mean that the husband can neglect his wife by not paying, even bare minimum subsistence allowance and medical

expenses which are being incurred by the respondent on recurring basis.

[10]. Looking from any angle, there is no ground to interfere in this revision petition. This revision petition is accordingly dismissed.

14.10.2019  
*Prince*

(RAJ MOHAN SINGH)  
JUDGE

|                           |        |
|---------------------------|--------|
| Whether reasoned/speaking | Yes/No |
| Whether reportable        | Yes/No |