

**IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH.**

FAO-M No.292 of 2016 (O&M)  
Date of decision: August 21, 2019

Suman Verma ...Appellant

Versus

Manoj Kumar ...Respondent

**CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA  
HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present: Mr. Saurabh Bhatia, Advocate for the appellant.  
Mr. Rakesh Verma, Advocate for the respondent.

**Rajan Gupta, J.(oral)**

Present appeal is directed against the order dated 18.02.2016, passed by the court below, whereby it has directed repayment of the maintenance received by the appellant-wife.

It appears that an application under Section 24 of the Hindu Marriage Act was filed by the appellant-wife before the court below. The court after considering the material on record, was pleased to grant Rs.4000/- per month as maintenance *pendente lite*. This order was challenged by the respondent-husband before this court in Civil Revision No.5934 of 2013. During the course of hearing of the revision petition, it came to light that a lumpsum amount had already been paid by the husband to the wife in proceedings under Section 13-B of the Hindu Marriage Act, which however, did not culminate into a decree. In view of the lumpsum amount paid in those proceedings, the maintenance *pendente lite* was set-aside. The matter was challenged by the appellant wife in the Supreme

Court but she remained unsuccessful. As a result, the court below directed the appellant-wife to reimburse the maintenance charges received by her during the pendency of the case, failing which respondent-husband would be at liberty to recover the said amount.

Learned counsel are *ad idem* that the amount can be adjusted in case the matter is settled by way of payment of permanent alimony.

In view of the aforesaid situation, we do not intend to delve further in issue. Appeal is hereby disposed of.

**( RAJAN GUPTA )**  
**JUDGE**

**(MANJARI NEHRU KAUL)**  
**JUDGE**

August 21, 2019  
'Rajpal'

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No