

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

Civil Revision No.2476 of 2020 (O&M)

Date of Decision: November 06, 2020

Jagmohan Singh

...Petitioner

Versus

Paramjit Kaur

..Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. V.K. Shukla, Advocate
for the petitioner.

HARINDER SINGH SIDHU, J.

The petitioner has filed the present petition impugning order dated 19.02.2020 passed by the Principal Judge, Family Court, Moga, whereby the application under Section 24 of the Hindu Marriage Act (herein for short 'the Act') filed by the respondent-wife has been allowed and the petitioner was directed to pay maintenance pendente lite @ Rs.3,500/- per month to the respondent from the date of filling of application under Section 24 of the Act. The petitioner has also been held liable to pay litigation expenses @ Rs.5,000/-.

The petitioner has filed a petition seeking divorce under Section 13 of the Hindu Marriage Act. The respondent filed an application under Section 24 of the Act seeking maintenance.

It was the case of the respondent that the petitioner owned 10 acres of agricultural land. Additionally, land measuring 20 acres was taken by him on lease. Thereby, he was earning more than Rs.50,000/- per month, whereas, the respondent did not own or possess any moveable or immovable

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property and she was unable to maintain herself. Therefore, prayer was made to grant maintenance @ Rs.20,000/- per month.

It has come on record that the couple was blessed with two minor children namely Inderpreet Kaur born in 2006 and Khuspreet Singh born in 2008. Both of them are school going and residing with the petitioner. The petitioner had also taken a plea that he is not physically fit. But, no documentary evidence was placed on record in this regard. He disputed that he owned 10 acres of land. A certified copy of *jamabandi* for the year 2013-14 was filed as per which the petitioner owned 6 kanals 5 marlas of land.

Taking it into consideration, the Court below has awarded maintenance pendente lite @ Rs.3,500/- per month.

Learned counsel for the petitioner has contended that the Court has wrongly assumed that the petitioner would be earning Rs.25,000/- per month from the land.

Be that as it may, the maintenance @ Rs.3,500/- per month cannot be said to be excessive. It is the obligation of the petitioner to maintain the respondent, who is his legally wedded wife and has no means to support herself. Accordingly, there is no merit in the present petition. The same is dismissed.

November 06, 2020

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(HARINDER SINGH SIDHU)
JUDGE

Whether Speaking / Reasoned	Yes
Whether Reportable	Yes / No