

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

Sr. No.116

CR-2331-2021 (O&M)
Date of decision : 29.11.2021

Varinder Kumar

..... Petitioner

VERSUS

Neeru Bala

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Ramesh Sharma, Advocate, for the petitioner.

SUDHIR MITTAL, J. (Oral)

The petitioner has filed a petition under Section 9 of the Hindu Marriage Act, 1955 for restitution of conjugal rights. During the pendency thereof, the wife-respondent filed an application under Section 24 of the said Act for grant of maintenance pendente lite. The application has been allowed and maintenance pendente lite of Rs.15,000/- per month has been allowed from the date of filing of the application. The order has been passed keeping in view the monthly salary of the petitioner which is Rs.50,000/- per month.

Learned counsel for the petitioner has stated that the petitioner has taken a home loan as well as a personal loan and to service the same has to pay instalments to the tune of Rs.28,000/- per month. Thus, the trial Court was in error in granting maintenance pendente lite of Rs.15,000/- per month.

A perusal of the impugned order shows that no such plea was raised before the trial Court. Thus, the petitioner cannot be permitted to raise such a plea before this Court.

For the aforementioned reasons, the revision petition has no merit and is dismissed.

(SUDHIR MITTAL)
JUDGE

29.11.2021

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No