

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

214

**CR No.6171 of 2019 (O&M)
Decided on : 26.02.2021**

Lalita Rani @ Neha

... Petitioner

Versus

Mohit

... Respondent

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr. Tanmoy Gupta, Advocate for the petitioner.

Mr. Kunal Dawar, Advocate for the respondent.

(The proceedings are being conducted through video
conferencing, as per instructions.)

G.S. Sandhawal, J. (Oral)

CM-1044-CII-2021

Application for preponement is allowed and the main case is
taken up for hearing.

CM stands disposed off.

Main case

The petitioner-wife in the present revision petition filed
under Article 227 of the Constitution of India seeks setting aside of the
impugned order dated 16.09.2019 passed by the Additional Principal
Judge, Family Court, Gurugram, whereby Rs.3,000/- per month as
maintenance pendente lite and Rs.5,000/- as litigation expenses, had been
ordered and prayer is made for enhancing the same to Rs.15,000/- per
month and Rs.25,000/-, respectively.

Counsel for the petitioner has brought to the notice of this
Court that in the application filed under Section 24 of the Hindu Marriage
Act, 1955, specific averment was made that the husband is employed in
the DC Office and drawing a salary of Rs.30,000/- per month and,

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therefore, Rs.15,000/- per month was claimed as pendente lite and Rs.25,000/- was asked for as litigation expenses.

In the reply only a bald denial was there of his employment in the DC Office, Gurugram and of drawing salary of Rs.30,000/- and that he owns moveable and immoveable properties. Nothing was mentioned that as to how he is maintaining himself and what is his grade of pay.

It is further brought to the notice of the Court that in Section 9 proceedings this Court vide order dated 15.03.2018 (Annexure P-3) passed in CR No.2610 of 2017 filed by the wife, had enhanced the maintenance pendente lite from Rs.3,000/- per month to Rs.7,500/- per month, while noting that the petitioner is getting a gross salary of Rs.26,000/- and Rs.19,000/- in hand being a Government employee. It was also brought to the notice of the Court that the parties are not having any child and maintenance pendente lite granted by the trial Court was held to be on a lower side.

Keeping in view the above, this Court is of the opinion that it would be just and appropriate that if the respondent-husband pays Rs.10,000/- per month as maintenance pendente lite from the date of application. The petition stands allowed, accordingly.

**(G.S. SANDHAWALIA)
JUDGE**

FEBRUARY 26, 2021
Naveen

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No