

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

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**CR-3893 of 2017 (O&M)
Date of decision: 23.11.2022**

Vikas Talwar

..Petitioner

Versus

Payal

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

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

ANIL KSHETARPAL, J(Oral)

The petitioner herein is the respondent's husband. They filed a petition under Section 13-B of the Hindu Marriage Act, 1955 for dissolving their marriage by mutual consent. Pursuant thereto, the petitioner alleges that he has paid Rs.1,25,000/-. Subsequently, the petitioner withdrew his consent resulting in dismissal of the petition under Section 13-B of the Hindu Marriage Act, 1955. In a petition filed by the wife for grant of decree of divorce, the amount of maintenance pendente lite was assessed. The petitioner seeks adjustment of the amount of Rs.1,25,000/-. The trial court has refused to adjust the same.

The learned counsel representing the petitioner contends that in Civil Revision No.3910 of 2016, which is a previous petition filed by the petitioner, the court has permitted the petitioner to seek adjustment.

This court has examined the order dated 01.06.2016, passed in Civil Revision No.3910 of 2016. In that case, the petitioner had assailed the correctness of the amount of maintenance. The revision petition was dismissed, on the very first date of filing, without issuing notice to the respondent.

On a careful reading of the order, it is evident that no direction to adjust the amount of Rs.1,25,000/- against the arrears of maintenance pendente lite has been issued. In any case, the petitioner has withdrawn the consent.

Hence no ground to interfere is made out.

Dismissed.

All the pending miscellaneous applications, if any, are also disposed of.

November 23, 2022

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**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*