

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

FAO-936-2020

Date of decision:- 17.11.2022

Satyanarayan

....Appellant

VS.

Ritu

...Respondent

**CORAM: HON'BLE MS. JUSTICE RITU BAHRI
HON'BLE MRS. JUSTICE MANISHA BATRA**

Present: Mr. S.K. Verma, Advocate
for the appellant.

Ritu Bahri, J. (Oral)

Appellant is seeking quashing of order dated 04.12.2019 passed by Principal, District Judge, Family Court Bhiwani whereby respondent-wife was awarded maintenance *pendente lite* of Rs.4000/- per month.

A bare perusal of impugned order shows that earlier an application under Section 24 of the Hindu Marriage Act was decided on 20.02.2019 by the Court below and the same was dismissed. However, an amount of Rs.11,000/- as litigation expenses was awarded to the respondent-wife. Against this order, appellant preferred FAO NO. 2875-2019 and vide order dated 06.09.2019 this Court set aside order dated 20.02.2019 with a direction to decide the application under Section 24 of the Hindu Marriage Act afresh.

Learned counsel for the appellant has argued that the impugned order dated 04.12.2019 allowing the application under Section 24 of the

Hindu Marriage of the respondent-wife, is illegal, null and void, as the respondent-wife is having illicit relations with her telecom company manager namely Anil Bhardwaj and thus, she is not entitled for any maintenance.

Heard.

The present petition is liable to be dismissed as in the impugned order, it has been specifically mentioned that the appellant has not placed on record any document to show that his wife is having any source of income. Further the respondent-wife has also filed an affidavit dated 04.12.2019 stating therein that she has no source of income.

Keeping in view the fact that wife is not having any source of income, the present petition stands dismissed.

(RITU BAHRI)
JUDGE

17.11.2022
G Arora

(MANISHA BATRA)
JUDGE

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