

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CR No.1267 of 2019(O&M)

Date of decision:07.03.2022

Vivek Wazir

...Petitioner

Versus

Gunjan Wazir @ Gunjan Bhalla and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

**Present:** Mr. Ashish Aggarwal, Sr. Advocate, with  
Mr. Ankush Chowdhary, Advocate  
for the petitioner.

Mr. Naresh Prabhakar, Advocate  
for the respondents.

**ANIL KSHETARPAL, J (Oral)**

**C.M.No.4887-C-2020**

Allowed as prayed for.

Annexure P-18 to P-23 are taken on record.

**MAIN**

This revision petition has been filed assailing the correctness of the order passed by the learned Additional District Judge, Jalandhar, while assessing the amount of maintenance pendente lite @ Rs.30,000/- per month, from the date of filing the application till the decision of the main divorce petition alongwith Rs.12,000/- as one time litigation expenses.

This Bench has heard the learned counsel representing the parties at length and with their able assistance perused the paper book.

The learned senior counsel representing the petitioner contends that the order in question has been passed without examining the documents placed on record particularly the stand of the respondent that she is earning

more than her husband.

Per contra, the learned counsel representing the respondent-wife contends that the petitioner is in arrears of payment of maintenance pendente lite for more than Rs.10,00,000/-.

It is also evident that in the proceedings under Section 125 Cr.P.C., the petitioner has been made liable to pay Rs.15,000/- per month.

One of the argument of the learned senior counsel is that the aforesaid amount is liable to be adjusted.

Keeping in view the facts of the case, this Court is of the opinion that the matter is required to be sent back to the court of Additional District Judge, Jalandhar, to pass a fresh order while taking into consideration the entire material produced by the parties.

The parties shall also be required to disclose their current status. Hence, the matter is sent back to the Court for deciding afresh.

Needless to observe that the Court will independently decide the matter without being influenced by the observations made in the order.

The petitioner shall be liable to deposit the entire arrears, if any, in the account of the respondent-wife details of which had already been furnished, as per the interim order passed by this Court, within a period of two months, from today.

Disposed of accordingly.

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

**March 07, 2022**

**nt**

**Whether speaking/reasoned**

**Whether reportable**

**: Yes/No**

**: Yes/No**

**(ANIL KSHETARPAL)**  
**JUDGE**