

In the High Court of Punjab and Haryana, at Chandigarh

Civil Revision No. 851 of 2022

Date of Decision: 22.12.2022

Ravinder

... Petitioner(s)

Versus

Poonam and Another

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Abhinav Sood, Advocate
for Mr. Vikram Singh, Advocate
for the petitioner(s).

Mr. Saurabh Dalal and Mr. Sankalp, Advocates
for the respondent No.1.

Anil Kshetarpal, J.

1. Challenging the correctness of the order passed by the Family Court while assessing the maintenance *pendente lite* to the wife @ ₹ 3,000/- per month, the husband of the respondent has filed the present revision petition.

2. The petitioner claims that the respondent has re-married with Sh.Sunil (respondent No.2) and the petitioner is residing with his daughter. It has also been brought to the notice of the Court that a similar application filed by the respondent No.1 under Section 125 Cr.P.C. was dismissed after observing that the respondent No.1 has re-married with the respondent No.2.

3. On reading of the aforesaid order, it is evident that though, this fact is noticed by the Family Court in para 2, however, its effect has not been examined.

4. Keeping in view the aforesaid facts, the present revision petition is allowed and the order dated 28.01.2020 is set aside. The Family Court is directed to decide the application afresh after hearing both the parties.

(Anil Kshetarpal)
Judge

December 22, 2022
“DK”

Whether speaking/reasoned :Yes/No

Whether reportable : Yes/No