

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR-8008 of 2019 (O&M)
Date of decision: 30.11.2022

Varinder Singh Kanda

..Petitioner

Versus

Sonia Sharma

..Respondent

CR-901 of 2020 (O&M)

Sonia Sharma alias Dilpreet

..Petitioner

Versus

Varinder Singh Kanda alias Vicky

..Respondent

CRM-M-34643 of 2021 (O&M)

Varinder Singh Kanda

..Petitioner

Versus

Sonia Sharma

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Gaurav Tangri, Advocate, for the petitioner.
Mr. Piyush Aggarwal, Advocate, for the respondent.

ANIL KSHETARPAL, J(Oral)

1. Two revision petitions and one Criminal Miscellaneous Petition have come up for final disposal.

2. The parties to this litigation are members of the same family. The petitioner in Civil Revision No.8008 of 2019 is respondent's husband. The Family Court has assessed Rs. 10,000/- as the maintenance pendente lite payable to the wife. On the one hand, the husband claims that the amount of maintenance granted to wife is excessive, whereas on the other hand, the wife claims that the maintenance amount is required to be enhanced. In the

Criminal Miscellaneous Petition, the husband claims that he is entitled to the adjustment of the amount payable by the petitioner under various orders passed either under Section 24 of the Hindu Marriage Act, 1955 or under Section 125 Cr.P.C.

3. Admittedly, the husband has failed to pay the amount of interim maintenance as ordered on 12.12.2019.

4. Hence, revision petition i.e. CR-8008 of 2019, filed by the husband is dismissed.

5. The learned counsel representing the wife, though, made sincere attempt, however, failed to draw the attention of the Court to any substantive error in the assessment of interim maintenance pendente lite ordered by the Court.

6. On the question of adjustment, the law is well settled that while determining the maintenance pendente lite, there can be no straight jacket formula for fixing such quantum, and the orders passed in various proceedings between the same parties are to be taken into consideration while ordering the adjustment. In these cases, the maintenance payable in one proceeding shall be adjusted in the amount payable in the other proceedings.

7. With these observations, all the three petitions are disposed off.

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

November 30, 2022

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**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*