

In the High Court of Punjab and Haryana, at Chandigarh**Civil Revision No. 7068 of 2018 (O&M)****Date of Decision: 04.12.2023**

Sanchit

... Petitioner(s)

Versus

Hitesh

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Sushil Sheoran, Advocate
for the petitioner(s).

Mr. Mudit Johar and Mr. Abhimanyu Singh, Advocates
for the respondent.

Anil Kshetarpal, J.

1. During the pendency of the petition filed by the husband under Section 13(1)(ia)(ib) of the Hindu Marriage Act, 1955 (hereinafter referred to as “the 1955 Act”), an application filed by the wife for the grant of maintenance pendente lite has been dismissed on the ground that the wife is also working as a Lecturer and drawing the salary of ₹25,000/- per month, whereas, the respondent-husband is working as a Custom Inspector and is earning ₹57,000/- per month. The correctness of the aforesaid order has been challenged in this revision petition.

2. It has been brought to the notice of this Court that during the pendency of the revision petition, the divorce petition filed by the respondent-husband was dismissed by the Family Court against which the first appeal is pending. It has also been brought to the notice of the Court

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Violence Act, 2005, maintenance @ ₹15,000/- was fixed which, in the revision petition, was reduced to ₹7,500/-. The respondent has challenged the correctness of the order passed by the High Court before the Supreme Court, however, the same has not been listed.

3. Taking note of the aforesaid situation, the respondent was directed to be present in the Court. He appeared and filed his affidavit, which is taken on record.

4. The learned counsel representing the respondent submits that there are arrears of more than ₹6,00,000/- which are payable to the petitioner (wife). He submits that the aforesaid amount shall be paid in three equal instalments payable on a quarterly basis. The first instalment shall be paid by the respondent within a period of one month from today by way of a demand draft in favour of the petitioner.

5. Keeping in view the aforesaid facts, the present revision petition is disposed of with the liberty to the petitioner to file an application under Section 24 of the 1955 Act, in the pending appeal.

6. The miscellaneous application(s) pending, if any, shall stand disposed of.

(Anil Kshetarpal)
Judge

December 04, 2023

“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No