

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(105+272)

CM-14590-CII-2022 in/and
CR-2764-2022 (O&M)
Date of Decision : January 30, 2023

Gurvinder Singh Garcha

.. Petitioner

Versus

Sukhvir Kaur

.. Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Mohit Jaggi, Advocate, for applicant-petitioner.

Lt. Col. P.K. Saran, Advocate,
for the non-applicant/respondent.

HARSIMRAN SINGH SETHI J. (ORAL)

CM-14590-CII-2022

As prayed for, the application is allowed.

Affidavit of the petitioner is taken on record.

CR-2764-2022

Learned counsel for the petitioner submits that application seeking maintenance pendente lite was filed by father of the respondent-wife claiming himself to be lawful attorney whereas, as per the facts which have emerged is that the power of attorney was given by the respondent-wife in favour of her father only on 09.10.2019 i.e. much after the filing of the application by the father of respondent-wife, which was filed on 05.04.2018. Learned counsel for the petitioner further submits that the

order dated 20.11.2019 from the date when the power of attorney was given by the respondent-wife in favour of her father.

Learned counsel for the respondents raises no objection in case the impugned order of maintenance is modified to the extent that the arrears be paid to the respondent-wife starting from the date when the power of attorney was issued i.e. 09.10.2019.

Learned counsel for the petitioner submits that he has no objection to pay the maintenance starting from the said date as assessed in the impugned order.

Consequently, keeping in view the joint request of learned counsel for the parties, the impugned order dated 20.11.2019 is modified to the extent that the maintenance for which the respondent-wife is entitled for, will be extended to her along with arrears starting from 09.10.2019 onwards instead of date of application.

The present civil revision petition is disposed of in above terms.

CM-15643-CII-2022

As the main civil revision petition has been disposed of, present application also stands disposed of.

January 30, 2023
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No