



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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CR-2291-2024

Date of Decision.:04.07.2024

Bikramjeet

.....Petitioner

Vs.**Mamta**

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Manjinder Singh Saini, Advocate
for the petitioner.

DEEPAK GUPTA, J. (ORAL)

In a petition under Section 13 of the Hindu Marriage Act filed by the husband (petitioner herein), wife Mamta (respondent herein) moved an application under Section 24 of the Hindu Marriage Act seeking interim maintenance and litigation expenses. That application has been allowed by the trial Court vide impugned order dated 19.02.2024 by directing the husband- petitioner to pay pendente lite maintenance amount @ 15,000/- per month to the applicant- wife and her minor daughter from the date of the application, besides litigation expenses of ₹10,000/-. It is this order which is assailed by the husband before this Court.

2. It is contended by learned counsel that in a petition earlier filed by the wife under Section 125 Cr.P.C., the Magistrate has allowed maintenance only @ 3,000/- per month vide order dated 29.09.2020

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(Annexure P-5) after appreciating the material on record. It is further contended that trial Court has given undue weightage to the compromise between the parties which had taken place before the police authorities, wherein petitioner had agreed to pay ₹15,000/- but with the condition that wife lives separately along with all the three children. However, the wife is still living with the petitioner in a shared house and that two children are now living with the petitioner- husband.

3. After hearing learned counsel and after perusing the impugned order this Court does not find merit in this petition.

4. It is not disputed by learned counsel that gross salary of the husband- petitioner is ₹70,804/- per month. It is also not disputed that out of the three children, one of them is residing with the wife. The petitioner- husband had earlier agreed to pay maintenance amount of ₹15,000/- to the wife in a compromise effected before the police authorities. The contention of learned counsel that compromise was under police pressure, cannot be appreciated, at this stage.

5. Having noticed the aforesaid facts, particularly the income of the petitioner, this Court does not find any illegality in the impugned order.

Dismissed.

(DEEPAK GUPTA)
JUDGE

July 04, 2024

Neetika Tuteja

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No