

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR-6979-2023
Date of decision: 15.01.2024

Sanjay Kumar ... Petitioner

Versus

Meenakshi ... Respondent

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Durga Dutt Sharma, Advocate, for the petitioner.

GURBIR SINGH, J.

1. Challenge in this revision petition filed under Article 227 of the Constitution of India is to the order dated 11.09.2023 (Annexure P-1) passed by learned Civil Judge (Junior Division), Chandigarh, whereby the application Section 24 of Hindu Marriage Act filed by the respondent has been allowed and petitioner has been directed to pay Rs.10,000/- per month as interim maintenance to the respondent-wife from the date of filing of the application.
2. Briefly stated that the respondent is the legally wedded wife of petitioner and their marriage was solemnized at Chandigarh as per Hindu rites and ceremonies. However, soon after marriage, she was subjected to cruelty by the petitioner-husband and his father and was

thrown out of the house. Respondent started residing with her parents. Hoping that better sense would prevail upon the petitioner, she filed a petition under Section 9 of Hindu Marriage Act for restitution of conjugal rights. However, having no source of income, she filed an application under Section 24 of Hindu Marriage Act for grant of maintenance, pendente lite and litigation expenses. Vide order dated 11.09.2023, said application was allowed. It is the said order which has been challenged by way of present revision petition before this Court.

3. Learned counsel for the petitioner would contend that respondent-wife is not entitled for any maintenance as she is well qualified B.Tech, but now with the intention to grab money from the petitioner, she is not doing any job. It is submitted that respondent was a quarrelsome lady and gave beatings to him and he had filed a protection petition i.e. CRWP No.5871 of 2022 before this Court, which was disposed of vide order dated 12.07.2022 with a direction to the petitioner to avail remedy in accordance with law for redressal of grievance, if any. He has also filed a petition under Section 13 of Hindu Marriage Act on the ground of cruelty, which is pending consideration.

4. I have heard the submissions of learned counsel for the petitioner and have gone through the paper book.

5. Though the respondent-wife is well qualified but petitioner cannot run away from his liability. Litigation between the parties is going on and till it is not adjudicated, it is the bounden duty of the petitioner to

maintain his wife especially when she has no source of income. The order impugned has been passed in accordance with law and no ground for interference is made out. Accordingly, the revision petition stands dismissed.

(GURBIR SINGH)
JUDGE

January 15, 2024
sanjeev

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No