



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR(F) No.354 of 2024(O&M)

Reserved on: 18.08.2025

Date of Order:20.08.2025

Rajesh Kumar

.Petitioner

Versus

Bindu Rani and others

..Respondents

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Present: Mr. Rohit Aggarwal, Advocate
for the petitioner.

Mr. Sunil Saharan, Advocate
for respondents no.1 and 2.

SHALINI SINGH NAGPAL, JUDGE

1. Order dated 06.02.2024, of learned Additional Principal Judge, Family Court, Hissar, has been challenged in this revision petition. Vide impugned order, learned Additional Principal Judge, Family Court, Hissar, awarded a sum of Rs.10,000/- to the respondents as interim maintenance from the date of the application.

3. The only submission of learned counsel for the petitioner/husband is that the order was passed in violation of the law laid down by Hon'ble Supreme Court in **Rajnish vs. Neha and another, 2021(2) SCC 324**, despite an application moved by the petitioner for directing the respondents to place on record affidavit of assets and liabilities. It was urged that though the petitioner-husband was ready to file affidavit of his assets and liabilities, learned Family Court illegally refused to take it on record and on this sole ground, order dated 06.06.2024, stood vitiated.

4. Learned counsel for respondent nos.1 and 2 does not dispute

this factual position. He concedes that the mandate of law has not been followed by learned Family Court inasmuch as the affidavit of disclosure of assets and liabilities has not been filed.

5. Hon'ble Supreme Court of India in **Rajnish vs. Neha and others, 2021(2) SCC 324**, has passed the following directions in exercise of powers under Article 142 of the Constitution of India:-

a) XX XX XX

b) ***Payment of Interim Maintenance***

132. The affidavit of Disclosure of Assets and Liabilities annexed as Enclosures I, II and III of this judgment, as may be applicable, shall be filed by both parties in all maintenance proceedings, including pending proceedings before the concerned Family Court/District Court/Magistrates Court, as the case may be, throughout the country.

Enclosure-I of the judgment relates to affidavit of assets and liabilities for non-agrarian deponents. Enclosure-II provides the details for affidavit for agrarian deponents (Krishi).

6. The procedure above has been laid down to streamline the proceedings, so that the court concerned, on the basis of pleadings of the parties and the affidavits of disclosure, is in a position to make an objective assessment of the approximate amount to be awarded towards maintenance at an interim stage.

7. Filing of affidavits of assets and liabilities of contesting parties is mandatory and essential. Impugned order dated 06.02.2024 does not make reference to any affidavit of disclosure of assets and liabilities. On the

contrary, record shows that on 31.08.2023, learned Additional Principal Judge, Family Court, Hissar, declined application of the husband seeking a direction to the wife to file affidavit of assets and liabilities. The order under challenge, even otherwise, is non speaking and does not record cogent reasons for assessing the quantum of maintenance nor bifurcates the amount awarded to each of the four petitioners.

9. For the reasons aforesaid, the revision petition is allowed. Impugned order dated 06.02.2024, is set aside. Learned trial court is directed to decide the application for interim maintenance as per the final directions of Hon'ble Supreme Court of India in **Rajnesh vs. Neha and another, 2021(2) SCC 324**. by taking on record the affidavits of assets and liabilities of both the parties and to pass reasoned, speaking order on the application.

10. Parties through their counsels are directed to appear before learned Additional Principal Judge, Family Court, Hissar, on 01.09.2025, who shall proceed further in the matter in accordance with law.

11. All the pending miscellaneous applications, if any, stand disposed of.

(SHALINI SINGH NAGPAL)
JUDGE

20th August, 2025

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No