



CRM-M-20662-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-20662-2025
Decided on : 22.04.2025

Indu Luthra Chawla

... Petitioner

Versus

Mohit Chawla

... Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Ajaypal Singh Sandhu, Advocate
for the petitioner

KIRTI SINGH, J. (Oral)

Prayer in this petition filed under Section 528 of BNSS, 2023 is for issuance of directions to the learned Principal Judge, Family Court, Ferozepur to decide the application under Section 125 Cr.P.C. for grant of interim maintenance till the pendency of main case titled as *Smt. Indu Luthra Chawla and another vs. Mohit Chawla* bearing case NO. MNT125/60/2024 in a time bound manner.

2. Learned counsel for the petitioner *inter alia* submits that marriage of petitioner and respondent was solemnized on 22.02.2011, whereafter, the parties shifted base to USA and were blessed with a child on 31.07.2015. It has further been submitted that respondent is MBBS, MD i.e. a doctor by profession and was earning more than 11 lacs per month at that time. He further submits that the respondent came to India on 07.02.2022 and moved a



divorce petition on false and frivolous grounds. Thereafter, the petitioner filed an application for interim maintenance on 02.05.2024 in case No. MNT125/60/2024 before the Hon'ble Family Court Ferozepur seeking financial support due to the respondent's failure to maintain the petitioner and the minor daughter. It has further been argued that respondent-husband is intentionally and deliberately not filing reply nor he is submitting any income affidavit to the interim application, leading to repeated adjournment of the matter. To substantiate this contention, reliance has been placed upon Annexure P-4 and it has been submitted that on 31.08.2024, notice was issued to the respondent and the case was fixed for 26.09.2024. Thereafter, the case was fixed for reply to the main application as well as interim application on 26.09.2024, 14.11.2024, 17.01.2025, 21.02.2025, 07.03.2025, 19.04.2025 and now the case is pending for 08.05.2025. Reference has been made by learned counsel to the judgment passed in ***Shail Kumar Devi and another vs. Krishan Bhagwan Pathak, (2008) 9 SCC 632*** in support of his submissions.

3. Trite to say that the provision for grant of maintenance *pendente lite* has been incorporated by the legislature as a means of immediate relief and to prevent vagrancy and destitution of dependants. After a perusal of the judicial record, it has come to light that the application for interim maintenance has been pending since 02.05.2024. Without going into the merits of the case, and considering the facts and circumstances, this Court deems it appropriate to dispose of the present petition with a direction to the



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Family Court to decide the interim maintenance application expeditiously, preferably within a period of three months.

(KIRTI SINGH)
JUDGE

April 22, 2025
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Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No