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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRR(F)-844-2025 (O&M)
Date of Decision:29.05.2025

(I)

Raj Kumar Parmar @ Raj Kumar Singh Parmar

....Petitioner(s)

Versus

Smt. Urmila Kumari

.....Respondent(s)

CRR(F)-845-2025 (O&M)

(II)

Raj Kumar Parmar @ Raj Kumar Singh Parmar

....Petitioner(s)

Versus

Smt. Urmila Kumari

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Munish Kumar Garg, Advocate, for the petitioner.

JASGURPREET SINGH PURI, J. (Oral)

1. Both the petitions are taken up together as per the request of the learned counsel for the petitioner.
2. In CRR(F)-844-2025, the challenge is to the order passed by the learned Additional Principal Judge, Family Court, Gurugram dated 25.03.2025, whereby the respondent-wife has been granted provisional maintenance to the tune of Rs.40,000/- per month.
3. In CRR(F)-845-2025, by way of the impugned order dated 16.04.2025 passed by the learned Additional Principal Judge, Family Court,



Gurugram, the defence of the petitioner-husband has been struck off for non-compliance of order dated 25.03.2025 because he did not pay the arrears of maintenance.

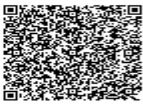
4. Learned counsel appearing on behalf of the petitioner submitted that both the petitioner and respondent are senior citizens. The petitioner-husband is of the age of 72 years and respondent-wife is of the age of 69 years but unfortunately they are living separately. He submitted that the petitioner-husband has retired as a Headmaster and his monthly pension is only Rs. 43,000/- but the respondent-wife has alleged that the pension of petitioner-husband is Rs.80,000/- per month and the provisional maintenance has been granted to the respondent-wife because of the reason that she is suffering from Psoriasis and is having various medical ailments. He submitted that the aforesaid amount of provisional maintenance of Rs.40,000/- per month is on the higher side and the petitioner-husband is ready and willing to pay provisional maintenance at the rate of Rs.20,000/- per month to the respondent-wife. He further submitted that so far as the arrears which he has not paid to the respondent-wife and on the basis of which his defence was struck off, the petitioner is ready and willing to pay half of the arrears which as of now comes out to be Rs.2,40,000/- to the respondent-wife. He submitted that he has instructions to state that the aforesaid arrears will be paid to the respondent-wife within a period of one month from today and he also has further instructions to state that the petitioner-husband will regularly pay the provisional maintenance at the rate of Rs.20,000/- per month to the respondent-wife till the decision of the application for grant of interim maintenance.



5. Learned counsel for the petitioner also submitted that he has instructions to state that so far as the remaining arrears of Rs.2,40,000/- are concerned, the same will also be paid to the respondent-wife within a period of three months from today.

6. At this stage, Mr. S. S. Salar, Advocate has appeared on behalf of the respondent-wife and has filed his memo of appearance which is taken on record. He submitted that he also has instructions to state that in case the petitioner-husband pays the aforesaid arrears of Rs.2,40,000/- to respondent-wife within a period of one month from today, then she has no objection in case the aforesaid impugned order dated 16.04.2025 passed by the learned Additional Principal Judge, Family Court, Gurugram, whereby the defence of the petitioner-husband was struck off is set aside and he be granted opportunity to join the trial and to lead his defence at an appropriate stage. He further submitted that since the petitioner-husband has expressed his willingness to pay the entire arrears i.e. Rs.2,40,000/- within a period of one month from today and remaining Rs.2,40,000/- within a period of three months from today, he has no objection in case the aforesaid provisional maintenance of Rs.40,000/- per month is reduced to Rs.20,000/- per month but let it be prospective in operation till the time the application for interim maintenance is decided.

7. After hearing the learned counsels for the parties and in view of the statement made by the learned counsel for the respondent-wife, both the present petitions are partly allowed. In CRR(F)-844-2025, it is directed that impugned order dated 25.03.2025 passed by the learned Additional Principal Judge, Family Court, Gurugram shall remain modified to the extent that the



amount of provisional maintenance of Rs.40,000/- per month shall be reduced to Rs.20,000/- per month as provisional maintenance till the decision of the application for grant of interim maintenance but will be prospective in operation.

8. In CRR(F)-844-2025, the impugned order by which the defence of the petitioner has been struck off is set aside since a statement has been made before this Court by the learned counsel for the petitioner on behalf of the petitioner that the arrears of Rs. 2,40,000/- + Rs. 2,40,000/- will be paid within a period of one month and three months from today respectively.

9. It is made clear that in case the aforesaid undertaking given by the learned counsel for the petitioner on behalf of the petitioner regarding the deposit of the arrears is not complied with, then both the orders i.e. order dated 25.03.2025 passed in CRR(F)-844-2025 and order dated 16.04.2025 passed in CRR(F)-845-2025 shall revive automatically.

29.05.2025

rakesh

(JASGURPREET SINGH PURI)

JUDGE

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