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

Civil Revision No. 4981 of 2007

Date of decision: 28. 9. 2007

Ajmer

...Petitioner

Versus

Suman

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL

Present: Mr. Jitender Dhanda, Advocate for the petitioner.

RAJESH BINDAL, J.

The challenge in the present petition is to the order dated May 12, 2007 passed by the learned District Judge, Jind in application, filed under Section 24 of the Hindu Marriage Act, 1955 by the respondent/wife, claiming maintenance pendente lite.

In the application, claim made was for maintenance of Rs. 3000/- per month and Rs. 6000/- as litigation expenses. The application was contested by the petitioner/husband on the plea that respondent/wife was living with her parents of her own choice and the petitioner being a poor labourer was not even earning enough to maintain himself and his parents, who are dependent upon him. Still the learned Court below by assessing very reasonable monthly income of the petitioner/husband as Rs. 3000/- per month, assessed the maintenance at Rs. 1200/- per month along with Rs. 6000/- as litigation expenses.

While impugning the order, petitioner made wild allegations against the wife showing disharmony in the marriage. No material has been placed on record to show that the assessment of interim maintenance and litigation expenses made by the Court below is not justified. Once the petitioner has not been able to show that assessment of the maintenance is bad on account of any error or omission by the learned Court below, the same cannot be interfered with. Allegations made by the petitioner/husband regarding various aspects causing disharmony in the

marriage will be considered in the divorce petition already pending before the Court below, which do not have any bearing for the purpose of decision of the present lis.

Accordingly, I do not find any merit in the present petition and the same is dismissed.

September 28, 2007
Pka

(Rajesh Bindal)
Judge