

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

C.R. No. 1311 of 2012 (O&M)

Date of Decision: February 29, 2012

Gurvinder Singh

.....Petitioner

Vs.

Pawanpreet Kaur

.....Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI.

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Present:- Mr. H.K. Brinda, Advocate
for the petitioner.

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M.M.S. BEDI, J. (ORAL)

Vide impugned order while deciding application under Section 24 of the Hindu Marriage Act, the trial Court has awarded interim maintenance at the rate of Rs.2000/- per month to the respondent wife with an additional sum of Rs.1000/- for the son born out of the wedlock besides litigation expenses of Rs.5000/-.

Counsel for the petitioner has submitted that the respondent-wife had been living separately from the petitioner under a Panchayati compromise and that as per the said compromise she is not entitled to any

maintenance. Counsel has also argued that the petitioner is unemployed and is unable to pay a sum of Rs.3000/- per month to the respondent.

After hearing learned counsel for the petitioner and going through the impugned order, I do not find any ground to interfere in the order as the trial Court has rightly observed that even if it is presumed that the petitioner is working as a labourer, it can be assumed that he is earning at least Rs.250/- to Rs.350/- per day. Even if for the sake of arguments, it is presumed that the amount of Rs.3000/- per month is slightly on higher side taking into consideration the income of the petitioner, it is relevant to observe that as per provisions of Section 21-B (2) of the Hindu Marriage Act, every petition under Hindu Marriage Act is to be decided expeditiously and concluded within a period of six months from the date of service of notice to the opposite side. It is ordered that in case the petitioner moves an application for expeditious disposal under Section 21 B (2) of the Act, the trial Court shall make an earnest endeavour to conclude the trial within a period of six months. In view of abovesaid circumstances, the petition is dismissed.

February 29, 2012
sanjay

(M.M.S.BEDI)
JUDGE