



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

Sr. No.178

CR-6160-2023

Date of Decision: 27.08.2025

LT. COL. SANDEEP PATWAL

...Petitioner

Versus

ILA PATWAL

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Keshav Pratap Singh, Advocate
for the petitioner.

Respondent-in-person, along with
Mr. Sunil K. Nehra, Advocate.

ARCHANA PURI, J. (Oral)

Challenge in the present revision petition is the order dated 17.08.2023, passed by learned Family Court, whereby during the pendency of the divorce petition, interim maintenance was fixed in favour of the respondent-wife, to the extent of Rs.80,000/- per month.

Perusal of the paperbook reveals that, at inception stage, considering the submissions made by the counsel for the petitioner, notice of motion was ordered to be issued. Further, it was ordered that 50% of the arrears becoming due @ Rs.50,000/- per month, be deposited by the petitioner, on the date fixed before the Executing Court i.e. 17.12.2023 and the residue 50% shall be deposited, on the next date to be fixed by the Executing Court. For the time being, it was ordered that interim



maintenance be paid @ Rs.50,000/- per month.

In compliance of the aforesaid order, the arrears up to 50% becoming due @ Rs.50,000/- per month, were deposited before the Executing Court. However, the residue 50% arrears, calculated as per amount of Rs.50,000/- per month, was still outstanding. Thereupon, when the arrears were not cleared by the petitioner-husband, the interim relief earlier granted, vide order dated 17.11.2023, was not extended any further, vide order dated 12.03.2025. Thereafter, on 16.05.2025, it was brought to the notice of the Court that arrears to the extent of Rs.4,50,000/-were still outstanding. Simultaneously, counsel for the petitioner had also brought to the notice of this Court that in view of the vacation of the interim order, the process is being conducted by the Executing Court, to clear the arrears @ Rs.50,000/- per month of the residue amount and the subsequent maintenance being due, while attaching an amount of Rs.90,000/- per month from the salary of the petitioner.

Now, during the course of submissions, amicable settlement has been reached between the parties, for payment of Rs.68,000/- per month, as interim maintenance, till decision of the divorce petition by learned Family Court. The respondent is present in the Court today, in person. The said offer is acceptable to her, as well as her counsel. Also, the counsel for the petitioner, on telephonic instructions received from the petitioner, submits that the amount shall be paid before the Executing Court, while calculating the arrears by taking amount of interim maintenance as Rs.68,000/- per month. Counsel for the respondent has also submitted that the arrears due, while calculated @ Rs.80,000/- per month, are to the extent of



Rs.15,30,000/- . Considering it to be so, still, if the arrears are calculated, while taking an amount of Rs.68,000/- per month, it would be around 9-10 lakhs, in the minimum. However, the process for securing realization of the maintenance amount has been started by the Executing Court.

Also, it is submitted by the counsel for the petitioner, that amount the attached by the Executing Court, is to the extent of Rs.90,000/- per month, considering the arrears due, as per the interim maintenance fixed by learned Family Court. May it be so. The process shall be continued by the Executing Court to secure the realization of the maintenance amount @ Rs.68,000/- per month and the amount over and above the same, out of Rs.90,000/-, as per the process started by learned Executing Court, shall be considered and deducted from the amount of arrears of maintenance due, till date, to be paid to the respondent.

However, to facilitate smooth payment of the interim maintenance, as well as arrears, the Executing Court shall proceed further and secure the recovery of the amount, directly from the drawing and disbursing authority of the petitioner.

In view of the aforesaid terms, the revision petition is hereby disposed of.

However, the petitioner shall remain bound by the statement made by his counsel.

27.08.2025
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No