



IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

144

CM-17409-CII-2025 in/and  
FAO-5201-2025  
Date of Decision: 01.10.2025

Pardeep Kumar

....Appellant

Versus

Sarita

....Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI  
HON'BLE MR. JUSTICE VIKAS SURI

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**Present:** Mr. Bharat Julka, Advocate  
for the appellant.

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**Harsimran Singh Sethi, J. (Oral)**

**CM-17409-CII-2025**

This is an application under Section 5 of the Limitation Act for condonation of delay of 148 days in re-filing the appeal.

Keeping in view the facts mentioned in the application, the same is allowed and the delay of 148 days in re-filing the appeal is condoned.

**FAO-5201-2025**

1. In the present appeal, the challenge is to the order dated 07.01.2025 passed by the Principle Judge, Family Court, Hisar, by which, a sum of Rs.3,000/- per month has been granted to the respondent-wife as a maintenance *pendente lite* apart from the litigation expenses of Rs.5,500/-.

2. Learned counsel for the appellant submits that the said maintenance fixed is exorbitant and therefore, the same should be set aside.



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3. We have heard the learned counsel for the appellant and have gone through the record with his able assistance.

4. Once, an assessment has been arrived at that the income of the appellant is to be taken between Rs.15,000/- to Rs.20,000/-, awarding a sum of Rs.3,000/- to the respondent-wife cannot be treated as exorbitant in any manner. Even otherwise, an amount of Rs.3,000/- means Rs.100/- per day, which even otherwise is not sufficient to sustain.

5. Qua the argument that the respondent-wife is getting a sum of Rs.5,000/- as a pension, even if the said amount is included, the total earnings will be around Rs.8,000/- per month, which is not even Rs.300/- per day and cannot be treated as sufficient to survive and live a dignified life.

6. Keeping in view the totality of the circumstances, no ground is made out for any interference by this Court in the facts and circumstances of the present case.

7. Accordingly, the appeal is dismissed.

8. Pending application(s), if any, stands disposed of.

**(HARSIMRAN SINGH SETHI)**  
**JUDGE**

**(VIKAS SURI)**  
**JUDGE**

**October 01, 2025**

*Varinder*

Whether speaking/reasoned : Yes

Whether reportable : No