

Santosh Kumar Madhele

Vs.

Sangeeta Madhele

Present: Ms. Neeru Bansal, Advocate for the applicant-respondent.

Mr. Hitesh Ghai, Advocate for the non-applicant-appellant.

There is an application filed by the respondent-wife Smt. Sangeeta Madhele under Section 24 of the Hindu Marriage Act, 1955, seeking maintenance allowance pendente-lite.

Undeniably, the respondent-wife alongwith minor children is living separately from the appellant-husband and presently she is not getting anything except maintenance allowance at the rate of Rs.3000/- for herself as well the minor children. The appellant-husband is admittedly in a government service under Group-D category in Indian Audit and Accounts Deptt., Ministry of Home Affairs. He is getting handsome amount by way of salary. Otherwise also, he is legally bound to maintain his wife as well as his children. As defined in Clause (b) of Section 3 of the Hindu Adoptions and Maintenance Act, 1956 "Maintenance" includes (i) in all cases Provisions for food, clothing, residence, education and medical attendance and treatment; (ii) in the case of an unmarried daughter also the reasonable expenses of and incident to her marriage."

The amount of maintenance to the tune of Rs.3000/- which the respondent-wife is already getting is insufficient to meet even the daily needs of the life. So, the civil miscellaneous application is disposed of with a direction to the appellant-husband to pay maintenance pendente lite to the respondent-wife to the tune of Rs.5000/- per month.

This order shall be operative from the date of application i.e. August 14, 2013 till today. However, the amount of maintenance already paid shall be adjusted towards the amount so awarded.

Civil miscellaneous application stands disposed of.

(JASPAL SINGH)
JUDGE

(AJAY KUMAR MITTAL)
JUDGE

04.10.2013
rajeev