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Jasdeep Singh Sahney Vs Navneet Kaur

Cr No. 6141 of 2013 (O and M)

Court: High Court Of Punjab And Haryana At Chandigarh

Date of Decision: Oct. 8, 2013

Hon'ble Judges: L.N. Mittal, J

Bench: Single Bench

Advocate: J.S. Mehndiratta, for the Appellant;

Final Decision: Dismissed

Judgement

L.N. Mittal, J.

CM No. 20471-CII of 2013

Allowed as prayed for.

CM No. 20471-CII of 2013

The application is allowed and Annexures P-1 to P-7 are taken on record subject to all just exceptions.

Main Case

1. In this revision petition filed under Article 227 of the Constitution of India, husband-Jasdeep Singh Sahney has assailed order dated 21.08.2013

passed by the matrimonial Court, thereby allowing application filed by respondent-wife Navneet Kaur u/s 24 of the Hindu Marriage Act, 1955 and

directing the petitioner-husband to pay Rs. 25,000/- per month as maintenance pendent elite for the respondent-wife as well as for minor daughter

of the parties admittedly residing with the respondent, besides litigation expenses of Rs. 2,500/-.

2. I have heard counsel for the petitioner and perused the case file. Counsel for the petitioner contended that the amount of maintenance pendente

lite awarded by the trial Court is highly excessive, keeping in view the income of the petitioner-husband as reflected in income tax returns

(Annexures P-3 to P-7).

3. I have carefully considered the matter. The aforesaid contention cannot be accepted. Income tax returns of many businessmen are more

concealing than revealing. The income tax returns in such cases are mostly deceptive. Moreover, when matrimonial dispute had arisen between the

parties, the petitioner-husband would intentionally understate his income to avoid payment of maintenance to the wife.

3. The aforesaid conclusion is more staking in the instant case as borne out from the version of the petitioner-husband himself. He has himself

alleged in his reply to the application before the matrimonial Court that he and his family paid Rs. 61,09,000/- to the respondent-wife as part of

understanding arrived at between the parties in this Court at the time of decision of application for anticipatory bail filed by petitioner and his family

members. It was also pleaded that the petitioner and his family members returned jewelry worth Rs. 1,29,08,000/- and other gift items worth Rs.

51,45,000/- to the respondent, besides jewelry worth Rs. 30,00,000/- given by the petitioner and his family to the respondent. This plea of the

petitioner-husband himself depicts the highly rich status of the petitioner and his family. In these circumstances, maintenance pendente lite of Rs.

25,000/- per month meant for respondent as well as minor daughter of the parties residing with her, cannot be said to be excessive so as to

warrant reduction by this Court at the instance of the petitioner-husband in exercise of power of superintendence under Article 227 of the

Constitution of India. The revision petition is thus meritless and is, therefore, dismissed in limine.