

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No.17879/2000

(From the judgement and order dated 25/08/2000 in CR 2738/2000  
of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

AJAY DUGGAL

Petitioner (s)

VERSUS

PREETI DUGGAL

Respondent (s)

(With prayer for interim relief)

Date : 07/02/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE V.N. KHARE  
HON'BLE MR. JUSTICE S.N. VARIAVA

For Petitioner (s) Mr. CS Vaidyanathan, Sr.Adv.  
Mr. Roy Abraham, Adv.  
for Mr.Himinder Lal,Adv.

For Respondent (s) Mr. Sanjay Ghosh,Adv.  
Ms. Anuja Mirchandani, Adv.  
Ms. Manjula Gupta,Adv.

UPON hearing counsel the Court made the following  
O R D E R

.....L.....I.....T.....T.....T.....T.....T.....J.  
.SP2

Leave granted.  
The appeal is allowed. There shall be no order  
as to costs.

.SP1

(Neelam Kawatra)  
Court Master

(S. Krishnan)  
Court Master

The signed order is placed on the file.

CIVIL APPELLATE JURISDICTION  
CIVIL APPEAL NO.1084 OF 2001@@  
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(Arising out of S.L.P.(C)No. 17879/2000)

Ajay Duggal

Appellant (s)

versus

Preeti Duggal

Respondent (s)

O R D E R@@  
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.....L.....I.....T.....T.....T.....T.....T.....T.....T....J  
.SP2

Leave granted.

Yesterday four Bank Drafts totalling Rs.80,000/- were handed over to Ms. Indira Jaisingh, learned senior counsel appearing for the respondent by learned counsel for the appellant. Today, a further sum of Rs.2000/- has been handed over to Ms. Manjula Gupta, Advocate-on-record for the respondent. In view of the payment of such amount towards maintenance, learned counsel for both the parties are agreed that the order under challenge be set aside and the trial Court may be directed to take into consideration the defence of the appellant who is the respondent in the Divorce Petition.

We, accordingly, set aside the order dated 25.8.2000 passed by the High Court as well as the order dated 15.6.2000 passed by the Additional District Judge, Chandigarh leaving the question of law open to be decided in an appropriate case.

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Learned counsel appearing for the appellant states that hereinafter the appellant shall continue to pay the monthly maintenance to the respondent during the pendency of the divorce petition.

The appeal is allowed. There shall be no order as to costs.

.SP1

.....J  
(V.N. Khare)

New Delhi,  
February 07, 2001.

.....J  
(S.N. Variava)