

Maintenance Pendente lite and Expenses of Proceedings in Hindu Marriage Act, 1955

Introduction

(i) Applicable in any proceeding under this Hindu Marriage Act, 1955 (“Act”).

(ii) That it appears to the court that either the wife or the husband, as the case may be, has no independent income sufficient for her or his support and the necessary expenses of the proceeding.

(iii) The court may on the application of the wife or the husband, order the Respondent to pay to the Petitioner, the expenses of the proceeding, and monthly amount during the proceeding such sum as, having regard to the Petitioner's own income and the income of the Respondent, it may seem to the court to be reasonable.

Period for Disposal of Application under Section 24 of the Act

The application for the payment of the expenses of the proceeding and such monthly sum during the proceeding, shall, as far as possible, be disposed of within sixty days from the date of service of notice on the wife or the husband, as the case may be.

Explanation

Section 24 of the Act entitles not only the wife but also the husband to claim maintenance Pendente lite on showing that he has no independent source of income. However, the husband will have to satisfy the court that either due to physical or mental disability, he is handicapped to earn and support his livelihood.

Sections to Remember

Section 24 of the Hindu Marriage Act, 1955	Maintenance Pendente lite and expenses of Proceedings
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