

Divorce Act, 1869

Section 36 - Alimony Pendente Lite

In any suit under this Act, whether it be instituted by a husband or a wife, and whether or not she has obtained an order of protection¹[the wife may present a petition for expenses of the proceedings and alimony pending the suit]

Such petition shall be served on the husband; and the Court, on being satisfied of the truth of the statements therein contained, may make such order on the husband²[for payment to the wife of the expenses of the proceedings and alimony pending the suit]alimony pending the suit as it may deem just:

³[***]

⁴ "Provided further that the petition for the expenses of the proceedings and alimony pending the suit, shall, as far as possible, be disposed of within sixty days of service of such petition on the husband."]

1. Substituted by Act 49 of 2001, section 2, for "the wife may present a petition for alimony pending the suit" (w.e.f. 24-9-2001).

2. Substituted by Act 49 of 2001, section 2, for "for payment to the wife of alimony pending the suit" (w.e.f. 24-9-2001).

3. The proviso omitted by Act 51 of 2001, section 21 (w.e.f. 3-10-2001).

4. Inserted by Act 49 of 2001, section 2 (w.e.f. 24-9-2001).
