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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ MAT.APP.(F.C.) 26/2013

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Judgment dated 05.11.2015

AMIT GUPTA

..... Appellant

Through : Mr.S.C. Singhal, Adv. along with
appellant.

versus

RUCHIKA GUPTA

..... Respondent

Through : Mr.V.K. Gupta, Mr.R.K. Sewal, Mr.G.C.
Rawal and Mr.Manu K. Giri, Advs. along
with respondent.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

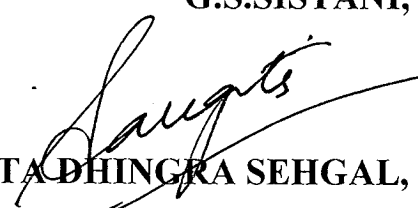
G.S.SISTANI, J (ORAL)

1. Present appeal has been filed by appellant under Section 19 of the Family Courts Act, 1894, against the order dated 27.6.2013 passed by Principal Judge, Family Courts, Dwarka, Delhi, in HMA No.79/2012 by which maintenance at the rate of Rs.25,000/-, per month, has been awarded for respondent and Rs.15,000/-, per month, has been awarded for the minor daughter.
2. Mr.Singhal, learned counsel for the appellant, submits that the learned Family Court has incorrectly assessed the income of the petitioner and abruptly granted maintenance of Rs.25,000/- for respondent and Rs.15,000/- for the minor daughter of the parties. Counsel, thus, prays that the impugned order dated 27.6.2013 be modified and the amount of maintenance fixed by the Family Court be decreased.
3. Learned counsel for the respondent has opposed the present petition and submits that the learned Family Court has correctly assessed the income

of the petitioner and only thereafter awarded maintenance for both, the respondent and the minor child of the parties.

4. We have heard the parties and their respective counsel in chamber. After some hearing, the Court had made a suggestion that out of the amount of Rs.25,000/-, fixed as a maintenance by the Family Court for respondent, Rs.5,000/-, per month, will be kept aside by the respondent exclusively for the benefit of the child. In response to this, Sh.P.D. Gupta, father of the respondent, who is present in Court, submits that he is ready and willing to deposit Rs.1.00 lakh in the name of minor daughter of the parties in Sukanya Samridhi Scheme, State Bank of India, till the child of the parties attains the age of eighteen years and receipt thereof shall be deposited with the Family Court, but the amount of Rs.25,000/- for respondent be not reduced. Learned counsel for the appellant has no objection to the same. The statement made by Mr.P.D. Gupta is accepted and taken on record.
5. In view of above, learned counsel for the parties submit that the present petition may be disposed of on the following agreed terms:
 - (i) There shall be no modification in the impugned order dated 27.6.2013, subject to the aforestated statement made by Sh.P.D. Gupta, father of respondent.
6. Accordingly, petition stands disposed of in the above terms.


G.S.SISTANI, J


SANGITA DHINGRA SEHGAL, J

NOVEMBER 05, 2015 msr

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