

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

DECIDED ON : JANUARY 29, 2015

+ CRL.REV.P. 691/2014 & CrI.M.A.17699/2014 (Stay)

MOHAMMAD ASLAM

..... Petitioner

Through : Mr.Javed Ali, Advocate.

versus

GULISTA

..... Respondent

Through : None.

**CORAM:
HON'BLE MR. JUSTICE S.P.GARG**

S.P.GARG, J. (ORAL)

1. The present revision petition has been preferred by the petitioner to impugn the order dated 12.09.2014 passed by the Principal Judge, Family Courts, North-East District, Vishwas Nagar, Delhi whereby interim maintenance @₹3,000 per month from the date of filing of the application i.e.29.10.2011 till date of order i.e.12.09.2014 and @ ₹3,500/- from the date of Order till disposal of the petition was awarded to the respondent-wife.

2. Learned counsel for the petitioner urged that the petitioner has a monthly income of ₹5,000/- and is unable to pay the unreasonable amount granted to the respondent as interim maintenance. The petitioner is a labourer by profession.

3. I have examined the file. The petitioner has claimed himself to be a carpenter by profession. It is not expected that being a skilled worker, he would earn only ₹5,000/- in a month. Apparently, he has not revealed his true income. Reliance has been placed on settlement arrived at before the Delhi Mediation Centre, Karkardooma Courts on 17.01.2013. Even as per this settlement, the petitioner was to pay monthly amount of ₹5,000/- to the complainant besides rent for the rented accommodation to be arranged by him. He was also to get his share in the movable and immovable property of his father and to execute the documents in favour of the respondent. It belies petitioner's assertion that his monthly income is only ₹5,000/-.

4. The impugned order based upon fair appraisal needs no interference. Quantum of interim maintenance cannot be considered excessive or unreasonable. The petition is dismissed in limine. All pending application(s) stand disposed of.

5. Trial court record (if any) be sent back along with a copy of the order.

(S.P.GARG)
JUDGE

JANUARY 29, 2015/sa