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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **MAT.APP.(F.C.) 117/2015, CM APPL. No. 19407/2015**

Date of decision : 22nd September, 2015

PRAVEEN KAPOOR Appellant
Through : Ms. Gurmeet Kaur Kapur, Advocate with
petitioner in person.

versus

NEHA KAPOOR & ORS. Respondent
Through : Respondent No. 1 in person.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

G. S. SISTANI, J. (ORAL)

Respondent in person. Rs.30,000/- in cash has been handed over to respondent in Court. The petitioner agrees to pay another Rs.30,000/- to respondent on 07.10.2015. We may notice that aggrieved by the order dated 03.08.2015 by which the Principal Judge, Family Court, Shahdara had directed the petitioner to pay a sum of Rs.1,00,000/- to the respondent as interim maintenance, led to the filing of the present appeal.

Learned counsel for the petitioner submits that admittedly this order was passed without taking evidence on record and the petitioner who claims to be earns about Rs.11,000/- p.m. submits that it is very difficult to make arrangement of this amount.

Respondent No. 1 who is present in Court submits that she was forced to leave her matrimonial home in the fourth month of her pregnancy and is residing with her parents without any source of income.

We dispose of this appeal with a direction to Principal Judge, Family Court, Shahdara to hear the application on merit on 07.10.2015 or any other day uneffected by any observation made in the order dated 03.08.2015 and the order passed by this Court today.

Meanwhile, as agreed till the final order is passed, the petitioner shall continue to pay a sum of Rs.7,500/- p.m. as interim maintenance to the respondent. We further make it clear that voluntary statements should not be treated as an admission by the petitioner with regard to the quantum of payment to be made to the respondent.

With above direction, the order dated 03.08.2015 is modified and the present appeal along with pending application stand disposed of.

G. S. SISTANI, J

SANGITA DHINGRA SEHGAL, J

SEPTEMBER 22, 2015

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