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

+ **MAT.APP.(F.C.) 107/2016**

MEENAKSHI

..... Appellant

Represented by: **Mr.Khushbir Singh &
Ms.Shaiza, Advocates**

versus

NITIN

..... Respondent

Represented by: **None**

CORAM:

HON'BLE MR. JUSTICE PRADEEP NANDRAJOG

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

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09.08.2016

CM No.28636/2016

Allowed.

MAT.APP.(F.C.) 107/2016

1. The appellant admits working as a nurse earning ₹19,000/- per month. The respondent is a Constable in Delhi Police receiving gross emoluments in sum of ₹29,000/-. This obviously is the salary which he receives.
2. Vide order dated May 07, 2016 learned Judge, Family Courts has taken note of the fact that in proceedings initiated under The Protection of Women from Domestic Violence Act, 2005 the appellant has been awarded a sum of ₹6,000/- per month as expenses towards alternative accommodation.
3. Applying simple mathematics subtracting ₹6,000/- from ₹29,000/-

and adding ₹6,000/- to ₹19,000/-, the learned Judge, Family Courts has noted that the net inflow to the coffers of the appellant would be ₹25,000/- and after the outflow the remaining in the coffers of the respondent would be ₹23,000/-. On this simple mathematics no order as regards maintenance has been passed.

4. The apprehension of the appellant is that if she starts living with her parents she would loss the benefit under the D.V.Act. It is not the case of the appellant that her husband has any other source of income.

5. The grievance is unfounded. The respondent has to pay ₹6,000/- per month to the appellant irrespective of where she resides. The ethos of the impugned order is that whether as maintenance or expenses for alternative accommodation, the husband would pay ₹6,000/- per month to the wife.

6. As the impugned order has to be understood we find no scope of any kind of interference in the impugned order.

7. The appeal is accordingly dismissed.

8. No costs.

CM No.28637/2016

Dismissed as infructuous.

PRADEEP NANDRAJOG, J.

PRATIBHA RANI, J.

AUGUST 09, 2016

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