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

+ CRL.M.C. 4722/2014

DR. ANUDEEP SINGH

..... Petitioner

Represented by: Mr.S.D.Singh and Ms.Surbhi Shukla,
Advs.

versus

DR. GEETANJALI SINGH

..... Respondent

Represented by: Mr.Jugal Wadhwa and Mr.Rishabh
Wadhwa, Advs.

CORAM:

HON'BLE MR. JUSTICE PRADEEP NANDRAJOG

ORDER

% **15.09.2016**

1. In proceedings under the Protection of Women from Domestic Violence Act, 2005 vide order dated November 07, 2013 the petitioner has been directed to pay to the respondent ₹50,000/- (Rupees Fifty Thousand only) per month, break of whereof is : ₹20,000/- (Rupees Twenty Thousand only) to the respondent for her maintenance, ₹15,000/- (Rupees Fifteen Thousand only) for the maintenance of the minor child who is being looked after by the respondent and ₹15,000/- (Rupees Fifteen Thousand only) for the rent.

2. In a well-reasoned order dated August 08, 2014 Crl.Appeal No.194/2013 filed by the petitioner has been dismissed.

3. Inherent power of this Court is invoked by the petitioner in the above captioned petition. The petitioner wants the two impugned orders to be quashed.

4. I find no merit in the petition and suffice it to record that in proceedings initiated by the petitioner for divorce against his wife, the Presiding Judge, Family Court, Gurgaon passed an order in favour of the respondent on an application filed by her under Section 24 of the Hindu Marriage Act, 1955 directing petitioner to pay maintenance to the respondent in sum of ₹60,000/- (Rupees Sixty Thousand only) per month. The order records that the petitioner was a Dental Surgeon having his own clinic which was run from the ground floor of the house owned by the petitioner along with his father.

5. The petitioner along with his father owns house bearing municipal No.A-52/1, DLF City-I, Gurgaon which ad measures 331.5 sq.yards on which a double storyed house is constructed and I find that the petitioner is trying to flitter away his assets. He has transferred his half share in the name of his mother.

6. As regards the two impugned orders, the petitioner admitted before the learned Metropolitan Magistrate that he was earning between ₹60,000/- to ₹80,000/- per month and was assisted by a compounder who was being paid ₹8000/- per month. But, the petitioner was opined to be hiding his true income because he refused to file an affidavit, proforma whereof has been settled by a Judicial Order passed by learned Single Judge of this Court. In the proforma information has to be given regarding foreign visits, local vacations, club membership, credit cards held, number of motor vehicles owned. The reason why the proforma was settled is a large number of judicial decisions recognizing a propensity by self employed people in India to hide their true income. It is not without significance to note that the son of the petitioner and the respondent is studying in a very premier school in Delhi : Modern School, Vasant Vihar. This proves that when all was well,

the petitioner had the means to give the best education to his son.

7. No judicial infirmity in the judicial order being shown and additionally noting that the respondent is now suffering from various age related ailments, I dismiss the petition.

Crl.M.A. No.16085/2014 & Crl.M.A.No.4717/2016

The two applications are dismissed in view of the fact that the main petition is dismissed observing that the petitioner may move an application in the trial Court seeking visitation rights, but would be failing not to note that the respondent who is present in person states that the petitioner is free to meet the child and she has no objection if the child accompanies the petitioner for an outing or even to petitioner's residence in Gurgaon to meet his grandparents.

PRADEEP NANDRAJOG, J.

SEPTEMBER 15, 2016

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