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

+ MAT.APP.(F.C.) 155/2016

ASHAN KUMAR DHUNNA

..... Appellant

Represented by: Mr.Nitesh Rana and Mr.Manish Jain,
Advocates.

versus

MEENU

..... Respondent

Represented by: None.

CORAM:

HON'BLE MR. JUSTICE PRADEEP NANDRAJOG

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

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25.10.2016

CM No.39711/2016

Allowed subject to all just exceptions.

MAT.APP.(F.C.) 155/2016 & CM No.39710/2016

1. Learned counsel for the appellant states that the grievance of the appellant is that apart from ₹40,000/- per month awarded as maintenance to the wife vide order dated January 30, 2016 under Section 125 Cr.P.C., vide impugned order dated May 18, 2016 additional monthly maintenance under Section 24 of Hindu Marriage Act, 1955 in same amount has been passed.

2. If this is the only grievance which is urged at the hearing today, we need to only state that the impugned order does not direct ₹40,000/- per month to be paid in addition to the same amount which has to be paid by the appellant to his wife under Section 125 Cr.P.C. The impugned order simply

disposes of the application under Section 24 of Hindu Marriage Act, 1955 fixing monthly maintenance in sum of ₹40,000/-.

3. The liability of the appellant is to pay ₹40,000/- per month to his wife.

4. As regards litigation expenses in sum of ₹11,000/- we find no infirmity therein for the reason that the appellant has sought annulment of the marriage by seeking a decree of divorce and wife need money to defend the same.

5. The appeal is dismissed, clarifying as above.

6. No costs.

CM No.39709/2016

Dismissed as infructuous.

PRADEEP NANDRAJOG, J.

PRATIBHA RANI, J.

OCTOBER 25, 2016

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