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

+ **MAT.APP.(F.C.) 7/2017**

PANKAJ JAIN

..... Appellant

Represented by : Mr.Vivek Sharma, Adv.

versus

SHILPI JAIN

..... Respondent

Represented by : None

CORAM:

HON'BLE MR. JUSTICE PRADEEP NANDRAJOG

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

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17.01.2017

CM No.2017/2017

Exemption is allowed subject to all just exception.

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1. The impugned order notes that the application filed by the wife under Section 24 of the Hindu Marriage Act, 1955 is pending adjudication since February 27, 2016. Noting that the wife is unemployed as an ad interim measure ₹50,000/- has been directed to be paid by the appellant to the respondent.

2. We find that the appellant admits working as a field executive in Jain

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Properties, 184, Ground Floor, Pocket-4, Sector-21, Rohini, Delhi. He claims that his monthly salary is ₹5,000/-. It is less than minimum wages and ex-facie cannot be accepted.

3. Since the learned Judge, Family Court has yet to decide the application under Section 24 of Hindu Marriage Act, 1955, to mitigate hardship to the wife ₹50,000/- has been directed to be paid as an ad-interim measure the order cannot be called illegal or perverse. While dismissing the appeal we simply observe that ₹50,000/- payable under the impugned order would be adjusted against the final which would be passed disposing of respondent's application under Section 24 of Hindu Marriage Act, 1955.

PRADEEP NANDRAJOG, J

YOGESH KHANNA, J

JANUARY 17, 2017
VLD