

\$~24

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

+ CRL.M.C. 338/2018 & CrI. M.A. Nos. 1282/2018

RAHUL RAJ

..... Petitioner

Through Mr. Manish Srivastava, Mr. Akhilesh  
Kumar and Ms. Priyanka Verma,  
Advs.

versus

DEEPTI AGGARWAL

..... Respondent

Through Mr. Sanjeev Anand, Mr. Sandeep  
Chandna and Mr. Chanpreet Singh,  
Advs.

**CORAM:**

**HON'BLE MR. JUSTICE A.K. PATHAK**

**ORDER**

%

**11.05.2018**

Counsel for the respondent submits that no reply is to be filed.

Being aggrieved by the order dated 13<sup>th</sup> November, 2017 passed by the learned Metropolitan Magistrate, whereby petitioner was directed to pay ₹70,000/- per month to the respondent as an ad-interim measure, petitioner has filed this petition for quashing the impugned order. Learned Metropolitan Magistrate has observed that as per the affidavit of the petitioner, he was earning ₹1,80,000/-. Case of the respondent was that she was earning ₹1,00,000/-. By observing so, learned Metropolitan Magistrate

has directed the petitioner to pay ₹70,000/- per month without even deciding the application for interim maintenance. No reasons have been given as on what basis ₹70,000/- has been awarded to the respondent as an ad-interim measure. Impugned order is set aside.

Application for interim maintenance is stated to be listed before the trial court on 14<sup>th</sup> May, 2018. Trial court shall decide the application for interim maintenance after hearing arguments of the parties on the next date of hearing.

Petition is disposed of in the above terms. Miscellaneous application is disposed of as infructuous.

**A.K. PATHAK, J.**

**MAY 11, 2018**  
*r.bararia*