

* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ MAT.APP.(F.C.) 122/2018, CM APPL. 21639/2018 & CM APPL. 21640/2018

versus

Through: None.

CORAM:
HON'BLE MR. JUSTICE SIDDHARTH MRIDUL
HON'BLE MS. JUSTICE DEEPA SHARMA

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Dr. S.N. Singh, learned counsel appearing on behalf of the

appellant would urge that the responsibility to look after the expenses of the minor child ought to be apportioned between the appellant/husband and the respondent/wife, particularly, in view of the circumstance that it is an admitted position that both of them are employed.

It is further urged that the appellant/husband has to discharge his obligations towards his parents as well, apart from rent that he is required to pay, having shifted out of the matrimonial home, where the respondent/wife resides. It is also urged that the respondent/wife on the other hand, has no liabilities at all and in fact, admittedly pays a sum of Rs. 46,548/- towards premium of insurance policies.

We find the submission made on behalf of the appellant/husband specious, inasmuch as although, the respondent/wife admittedly earns a net salary of Rs. 49,800/- per month, it must be juxtaposed with the appellant/husband's admitted gross income of Rs. 1.58 lacs.

It is in view of the circumstance that the wife is earning; that the learned Family Court did not deem fit to grant her any maintenance *pendente lite* and limited the relief to the minor daughter of the parties, who admittedly studies in a public school.

Besides this, the submission made on behalf of the appellant/husband, insofar as, it relates to the premium paid to the insurance policies is concerned, the same cannot be countenanced, in view of the circumstance that he, as well as, the minor daughter are the beneficiaries in those insurance policies.

Needless to state that, it is the moral and legal obligation of a father to maintain her minor daughter and that is what has been sought

to be enforced by way of the impugned order.

In view of the foregoing discussion, the present appeal is devoid of merits and is accordingly dismissed.

SIDDHARTH MRIDUL, J

DEEPA SHARMA, J

MAY 22, 2018

ss