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

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Judgment delivered on: 31.07.2018

+ CRL.REV.P. 637/2018

DHEERAJ SHARMA

..... Petitioner

versus

SONIA SHARMA @ DIMPY

..... Respondent

Advocates who appeared in this case:

For the Petitioner : Ms. Rashmi Jain, Adv.

For the Respondent : None.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

31.07.2018

SANJEEV SACHDEVA, J. (ORAL)

CRL.M.A.28891/2018 (Exemption)

Allowed, subject to all just exceptions.

CRL.REV.P. 637/2018 & CRL.M.A.28890/2018 (stay)

1. The petitioner impugns order dated 25.05.2018 whereby an ad-interim maintenance of Rs. 8000/- per month has been fixed for the respondent. The petitioner is further aggrieved by the disposal of the application directing the respondent to produce her documents.

2. Perusal of the order dated 25.05.2018 shows that the petitioner

admittedly has a monthly income of Rs. 23,700/-. It is in, these circumstances, trial court directed the petitioner to pay Rs. 8000/- per month as ad-interim maintenance from the date of filing of the application.

3. The contention of the learned counsel for the petitioner – that the respondent is working as a Teacher – is not substantiated from the record. Further, learned counsel is unable to point out as to in which school she is employed.

4. On query, learned counsel for the petitioner submitted that the petitioner is still trying to locate the school in which the respondent is employed. This shows that even the petitioner is not sure that she is employed but is resorting to assumption.

5. The stand of the respondent in her reply is that she was earlier employed in a school but after marriage she was forced to give up the employment by her in laws and she is presently unemployed.

6. In the absence of any concrete material of employment of the respondent being produced either before the trial court or this court, it cannot be said that there is any infirmity in the order dated 25.05.2018, wherein it is directed that one-third of the income of the petitioner, i.e. Rs. 8000/- per month, is to be paid to the respondent as ad-hoc interim maintenance.

7. It may be noted that the said assessment is pending

consideration of the application for grant of ad-interim maintenance.

8. Coming to the challenge to the rejection of the application seeking production of documents, it may be seen that the trial court has disposed of the application seeking production of documents in view of the reply of the respondent wherein she has stated that she does not hold NSE, PPF and LIC and further she has given the details of her PAN Card, Aadhar Card as well as the bank account.

9. In view of the above, I find no infirmity in the impugned order. The petition is accordingly dismissed.

JULY 31, 2018
‘rs’

SANJEEV SACHDEVA, J