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

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Judgment delivered on: 19.02.2019

+ CRL.REV.P. 689/2017 & CRL.M.A. 15127/2017

PARAMJEET SINGH

..... Petitioner

versus

JASBIR KAUR

..... Respondent

Advocates who appeared in this case:

For the Petitioner : Mr. Narendra Kalra, Advocate.

For the Respondent: Mr. Adab Singh Kapoor, Adv.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner impugns order dated 16.05.2017 whereby interim maintenance has been fixed at the rate of Rs.18,000/- per month. By order dated 14.11.2017, 50% of the arrears of maintenance were stayed.

2. Learned counsel for the petitioner submits that petitioner has been paying maintenance amount at the rate of Rs.18,000/- per month in terms of the orders of this Court, however, for the months of January and February, 2019 payment has not been made.

3. He further submits that the petitioner has lost his job on 01.02.2019 and accordingly he has approached the Trial Court for modification of the maintenance awarded.

4. Learned counsel for the respondent submits that the petitioner in his evidence has produced certain documents based on which respondent has filed an application seeking enhancement of the maintenance and both the applications are pending.

5. Since both the parties have approached the Trial Court for modification of the interim order without prejudice to the rights and contentions and with the consent of the parties, the petition is disposed of in the following terms:-

- (i) Petitioner shall continue to pay the amount of Rs.18,000/- per month to the respondent till the Trial Court decides the applications for modification under Section 25 and/or passes a final order in the petition filed by the respondent;
- (ii) Out of the arrears, petitioner shall pay a sum of Rs.1 lakh in three equal monthly instalments spread over a period of three months to the respondent.
- (iii) With regards to the balance arrears, the same would be dependent on the final order to be passed by the Trial Court. In case the Trial Court confirms the order of

Rs.18,000/- or enhances the amount, petitioner shall be liable to pay the balance amount also.

6. It is agreed that the above arrangement is without prejudice to the rights and contentions of the parties and shall have no bearing on the merits of the case of either party.

7. The petition is disposed of in the above terms, however, keeping in view the totality of facts and circumstances of the case, the Trial Court is directed to expedite the proceedings and endeavour to conclude the same preferably within a period of six months from the next date before the Trial Court.

8. Order *Dasti* under signatures of the Court Master.

FEBRUARY 19, 2019
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SANJEEV SACHDEVA, J