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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.REV.P. 218/2019 & CrI. M.A. 4244/2019 (Stay)**

NARESH KUMAR

..... Petitioner

Through: Mr. C.S. Parashar and Mr. Rahul
Sharma, Advocates with petitioner in
person.

versus

ALKA

..... Respondent

Through: Mr. Anubhav Dubey, Advocate with
respondent in person

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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15.01.2020

1. The present petition has been filed by the petitioner assailing the order dated 27.08.2018 passed by the Family Court whereby the petitioner has been directed to pay Rs.10,000/- per month to the respondent from 27.08.2018 onwards.
2. After arguing for some time, learned counsel for the petitioner, on instructions from the petitioner who is present in person, states that without prejudice to his rights and contentions, the petitioner is ready to pay Rs.9,000/- per month to the respondent towards interim maintenance from 27.08.2018 till the disposal of the maintenance petition by the Family Court. The petitioner is also ready to clear the arrears within three months in three equal monthly instalments.
3. Learned counsel for the respondent, on instructions from the respondent who is present in person, states that the above offer of the petitioner is acceptable to the respondent without prejudice to her rights and

contentions.

4. In view of the above undertaking of the petitioner, subject to the petitioner paying Rs.9,000/- per month to the respondent from 27.08.2018 till disposal of the maintenance petition and clearing the arrears @ Rs.9,000/- within a period of three months, the impugned order is set aside only to the limited extent whereby the petitioner has been directed to pay interim maintenance of Rs.10,000/- per month to the respondent. The arrears shall be paid in three equal monthly instalments which shall be payable on or before 01.02.2020, 01.03.2020 and 01.04.2020 respectively.

5. It is clarified that the above arrangement is only an *ad-interim* measure and the same is without prejudice to the rights and contentions of both the parties and shall have no bearing on the merits of the case.

6. It is also clarified that in case at the time of disposal of the maintenance petition, the Family Court reaches a conclusion that the respondent is entitled for lesser or higher maintenance, the Family Court would be at liberty to grant adjustment of the arrears either way.

7. With the above directions, the revision petition is disposed of. Miscellaneous application is disposed of as infructuous.

8. Copy of the order be communicated to the concerned Family Court.

9. *Dasti.*

MANOJ KUMAR OHRI, J

JANUARY 15, 2020

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