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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.REV.P. 37/2022 & CRL.M.A. 1046/2022, CRL.M.A. 476/2023
NIKUNJ GUPTA

.....Petitioner
Through: Mr. Sanjay Gupta, Advocate.

versus

RUCHI GUPTA & ANR.

.....Respondent
Through: Mr. Utsav Kumar, Adv. For R-1

CORAM:
HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER
10.07.2024

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1. The present petition has been filed by the Petitioner challenging the Order dated 16.08.2021 passed by the Ld. Principal Judge, South East District, Saket, New Delhi fixing the interim maintenance of Rs.50,000/-.
2. It is stated by the learned Counsel appearing for the Petitioner/husband that an application under Section 126 Cr.P.C has been filed on the ground of territorial jurisdiction. He also states that the Impugned Order dated 16.08.2021 fixing the interim maintenance has been passed ex-parte and the Petitioner will move an application for varying the Order dated 16.08.2021 stating as to what should be the interim maintenance.
3. It is stated that the amount of interim maintenance has been reduced by this Court from Rs.50,000/- to Rs.30,000/- vide Order dated 13.04.2022.



4. This Court is of the opinion that the justice would be served if the application filed under Section 126 Cr.P.C raising the territorial jurisdiction of the Court is decided.
5. The Petitioner is also at liberty to file an application for modification of the Order dated 16.08.2021 by producing such relevant material which shows that the Petitioner is incapable of paying the sum of Rs.50,000/-
6. The application filed under Section 126 Cr.P.C be decided within a period of six months from today. The interim arrangement by this Court vide Order dated 13.04.2022 fixing the interim maintenance for Rs.30,000/- shall be continued till the application filed under Section 126 Cr.P.C is decided.
7. The Respondents is at liberty to move an appropriate application for execution of the Order fixing the interim maintenance.
8. With these observations, the petition is disposed of, along with pending application(s), if any. It is made clear that this Court has not made any observations on the merits of the case.

SUBRAMONIUM PRASAD, J

JULY 10, 2024

S. Zakir