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

+ CRL.M.C. 4030/2023 and CRL.M.A. 15146/2023

PAWAN KUMAR PANDEYPetitioner

Through: Mr.Bhuvneshwar Tyagi, Advocate

versus

JYOTI PANDEY & ORS.Respondents

Through: Mr.Arbind Singh and Mr.Abhishek
Sinha, Advocates

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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09.09.2024

1. By way of present petition, the petitioner, who is arrayed as a respondent in the proceedings initiated under Section 125 Cr.P.C. by the complainant/respondent No.1 herein, is aggrieved by the order dated 15.03.2023, whereby the Family Court has enhanced the ad-interim maintenance from the earlier sum of Rs.3,000/- per month to Rs.10,800/- per month.

2. A reading of the paper book would show that at the time when the complainant/respondent No.1 had approached the learned Family Court, the maintenance sought was for herself and her minor child. Subsequently, on the parties' second child being born in the year 2019, respondent sought enhancement of the ad-interim maintenance. Vide the impugned order dated 15.03.2023, the family court took into account the petitioner's income affidavit, wherein he admitted to be earning Rs.18,000/- per month.



Considering the same, the Family Court directed the petitioner to pay a consolidated sum of Rs. 10,800/- divided into five units (Rs.3,600/- each) per month as ad interim maintenance, granting two units to the petitioner and three units to respondent No.1 and their 2 minor children, each. The impugned order is in line with the decision of this Court in Annurita Vohra v. Sandeep Vohra reported as **2004 SCC OnLine Del 192**.

3. Considering that the impugned order relates only to the ad-interim maintenance, and that the application for interim maintenance is still pending consideration, I find no ground to entertain the present petition. Accordingly, the same is dismissed alongwith the pending applications. Needless to state, on the consideration of the interim maintenance application which is now coming up for hearing on 19.09.2024, the Family Court comes to the conclusion that the respondents are entitled to lesser or higher maintenance, the Family Court would be at liberty to grant adjustment of the arrears accordingly.

MANOJ KUMAR OHRI, J

SEPTEMBER 9, 2024
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