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

+ **CRL.REV.P. 933/2024 & CRL. MAs 21286-87/2024**

PURAN SINGH LATWAL

.....Petitioner

Through: Mr. Hemant Kumar, Mr. Vankatesh
Joshi and Ms. Kavya Kumar,
Advocates.

versus

HEMA BISHT

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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23.07.2024

1. By way of the present petition filed under Section 438 read with Section 528 of the Bhartiya Nagrik Suraksha Sanhita ('BNSS'), the petitioner seeks setting aside of the order dated 08.05.2024 passed by the learned Principal Judge, Family Court (East), Karkardooma Courts, Delhi in MT No.92/2024 whereby on an application preferred by the respondent under Section 125 Cr.PC, ad-interim maintenance of Rs.5,000/- has been granted.
2. The grievance raised by the petitioner is that the copy of the entire paper book was not supplied to him and that the amount granted is on the higher side. It is also stated that the respondent herself is working.
3. A plain reading of the impugned order would show that the petitioner had appeared before the Trial Court and admitted to be earning Rs.20,000/- per month.
4. Considering that the impugned order relates to only the grant of an ad-interim maintenance and the learned Trial Court has also granted an



opportunity to file his reply/income affidavit, I find no ground to interfere with the impugned order. The petitioner shall however, be at liberty to place on record its reply/income affidavit before the Trial Court whereafter the application for grant of interim maintenance will be considered on its own merits.

5. In view of the above, considering that the interim maintenance application is pending consideration and vide the impugned order only ad interim maintenance has been granted, the petition is dismissed along with pending applications. However, it is clarified that if, at the time of disposal of the maintenance petition, 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 either way.

MANOJ KUMAR OHRI, J

JULY 23, 2024/rd