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

+ **CRL.M.C. 5801/2024**

PRAVEEN KUMAR

.....Petitioner

Through: Mr. Avinash Suri and Mr. Umesh Suri, Advocates along with petitioner in person.

versus

NEERAJ AND ANR

.....Respondents

Through: Mr. Vijay Kinger, Mr. Aishwani Gehlot and Ms. Roopa Nagpal, Advocates for R-1 & 2 along with R-1 in person.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

21.08.2024

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CRL.M.A. 22190/2024

1. This petition is filed seeking setting aside of impugned order dated 06th February, 2024 passed by the Family Court, North-East Karkardooma Courts in MT No. 209/2021.
2. On the last date 30th July, 2024, counsel for petitioner, on instructions, had stated that he offered option of rented accommodation to the respondent/wife and child in that they would be comfortable, but there was no response from the respondent/wife regarding the same.
3. Counsel for respondent, on instructions of the wife who is present in Court, states that she has had to separate from the petitioner, on account of



his repeated drunken behaviour, to which she does not want to expose the child, and does not want to be consistently threatened by him. Therefore, she has been staying with her mother and is not interested in staying with the petitioner.

4. The Court has perused the impugned order which has assessed the petitioner's income @ Rs. 21,000/- noting that the petitioner is earning Rs. 30,000/- per month being a driver for Cluster Bus Services.

5. As per the relevant precedents, the Family Court has divided the said income into six units taking into account the dependency of petitioner's parents and granted one unit each towards the wife and the child, the latter being 11 years of age and is staying with the mother.

6. Interim maintenance, therefore, was awarded in the amount of Rs. 3,500/- each for the wife and the child (consolidated Rs. 7,000/-).

7. Counsel for respondents also states that the petitioner has not been paying even a single penny since the impugned order was passed.

8. In any event, this Court does not find any infirmity or illegality in the impugned order and is not inclined to interfere with the same. Petitioner is directed to clear the arrears of maintenance within a period of two months.

9. Accordingly, the petition is dismissed.

10. Order be uploaded on the website of this Court.

ANISH DAYAL, J

AUGUST 21, 2024/MR