



\$~68

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.REV.P. 994/2024, CRL.M.A. 22839/2024, CRL.M.A.
22840/2024

OMKAR GUPTA

.....Petitioner

Through: Mr. Mandeep Kumar Sharma,
Advocate.

versus

PINKY GUPTA

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

05.08.2024

%

1. By way of present revision petition, the petitioner seeks to assail the order dated 14.03.2024 passed by the Ld. Family Court, Saket Court, New Delhi in MT No. 403/2022 titled Pinky Gupta v. Omkar Gupta.
2. Notably, while noting the averments in the petition filed by the respondent under Section 125 Cr.P.C., the Family Court awarded Rs.18,000/- as ad interim maintenance to be paid to the respondent per month. The factum of marriage between the parties is not in dispute. There are two children out of the wedlock of the parties and the respondent has two children from a previous marriage. Petitioner at the time of filing of written statement did not even file any income affidavit and only vague submission has been made that petitioner is not employed anywhere.
3. Considering that the impugned order pertains to only an ad interim maintenance and the application for grant of interim maintenance is still pending consideration before the Family Court, I find no ground to entertain



the present petition. Consequently, the same is dismissed alongwith the pending applications.

4. Needless to state that in case at the time of disposal of the maintenance petition, the Family Court, on consideration of material on record as well as income affidavits filed by the parties, comes to the conclusion that the respondents are entitled for lesser or higher maintenance, the Family Court would be at liberty to grant adjustment of the arrears either way.

MANOJ KUMAR OHRI, J

AUGUST 5, 2024

ga