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

+ **CRL.REV.P. 1277/2023 & CRL.M.A. 32418/2023**
HARI RAM SHARMA Petitioner

Through: Mr. Himanshu Jawa, Adv.
through V.C.

versus

USHA SHARMA Respondent

Through: None.

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

% **08.02.2024**

CRL.M.A. 32419/2023 (exemption)

1. Exemptions allowed, subject to all just exceptions.
2. The application stands disposed of.

CRL.REV.P. 1277/2023 & CRL.M.A. 32418/2023

3. The present petition is filed impugning an order dated 02.08.2023 (hereafter '**the impugned order**'), passed by the learned Principal Judge, Family Court, District North in MT No. 750/2020.

4. The learned Family Court by impugned order had granted interim maintenance of ₹20,000/- per month to the respondent. The learned counsel for the petitioner submits that the respondent had prayed for maintenance of ₹50,000/- per month claiming that the petitioner is drawing salary of ₹1,00,000/- per month. However, at the interim stage, the learned Family Court assessed the salary of the petitioner at ₹60,000/- per month and granted interim monthly maintenance of ₹20,000/-.

5. The learned counsel for the petitioner submits that the maintenance awarded, is high. He submits that children of the parties are already settled and the respondent has not been able to



explain as to why amount of ₹20,000/- is required. He further submits that the petitioner has also taken a house on rent and large sum of money goes for the rental of that property.

6. It is not disputed that the petitioner is working as an Assistant Sub-Inspector (ASI) in Delhi Police. It is also not disputed that minimum salary earned by the ASIs is more than ₹60,000/- per month. It is also common knowledge that the officials of the Delhi Police also get House Rent Allowance. Thus, the arguments that the petitioner has to pay rent for the purpose of staying in the property is, *prima facie*, merits less. The relationship with the respondent is also not disputed. It is also not contended that the petitioner has other family members to maintain.

7. In such circumstances, payment of maintenance of ₹20,000/- per month, at this stage, does not warrant any interference. The maintenance awarded otherwise also is only the interim maintenance and the matter is pending consideration before the learned Trial Court.

8. In view of the above, this Court finds no merit in the present petition, the same is dismissed.

AMIT MAHAJAN, J

FEBRUARY 8, 2024

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