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

+ CRL.M.C. 9365/2023, CRL.M.A. 35028/2023,  
CRL.M.A. 10955/2024, CRL.M.A. 10956/2024 and  
CRL.M.A. 10957/2024

MADHULIKA BAWA

..... Petitioner

Through: Mr.Manas Karma, Mr.Anuj and  
Mr.Pradeep Kumar, Advocates

versus

RANGESH SRINIVASAN

..... Respondent

Through: Mr.J.H. Jafri and Ms.Shabeena Khan,  
Advocates

+ CRL.REV.P. 289/2024, CRL.M.A. 6481/2024, CRL.M.A. 6483/2024  
and CRL.M.A. 6484/2024

RANGESH SRINIVASAN

..... Petitioner

Through: Mr.J.H. Jafri and Ms.Shabeena Khan,  
Advocates

versus

THE STATE OF NCT OF DELHI AND ANR & ORS.

..... Respondents

Through: Mr. Sanjeev Sabharwal, APP for State  
with SI Ritu  
Mr.Manas Karma, Mr.Anuj and Mr.Pradeep  
Kumar, Advocates for respondent No.2

**CORAM:**

**HON'BLE MR. JUSTICE MANOJ KUMAR OHRI**

**ORDER**

**09.04.2024**

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1. The present petitions have been filed against the common order dated



13.10.2023 passed by learned ASJ, North-West, Rohini Courts, Delhi in CA No.45/2023 titled 'Rangesh Srinivasan vs Madhulika Bawa' and CA No. 33/2023 titled 'Madhulika Bawa vs Rangesh Srinivasan'.

2. Considering that the petitions have been filed against the same order, they are taken up for consideration together and disposed of vide this common order. Further, for the sake of brevity, *Madhulika Bawa* would be referred to as 'wife' whereas *Rangesh Srinivasan* would be referred to as 'husband'.

3. The facts, as discernible from the record, are that the marriage between the parties took place on 04.09.2008 and out of the said wedlock, a girl child was born. Subsequently, certain matrimonial disputes/issues arose leading to the filing of several litigations including one instituted under the Protection of Women from Domestic Violence Act, 2005 ('*DV Act*'). In the said DV petition, an application under Section 23 DV Act was moved by the wife for grant of ad-interim maintenance.

Vide order dated 02.02.2023, learned MM directed payment of Rs.1,80,000/- p.m. as interim maintenance for the minor child, while no maintenance was granted for the wife. The said order came to be challenged before learned ASJ, wherein vide order dated 13.10.2023, the maintenance amount was modified from Rs.1,80,000/- to Rs.1,50,000/- p.m.

4. Both the husband and the wife have challenged the said order. While the husband has sought further reduction of the maintenance amount, the wife has sought restoration of the interim maintenance to the amount originally determined by the learned MM i.e. Rs.1,80,000/- as well as grant of interim maintenance in her favour.

5. A perusal of the order passed by learned MM shows that it was stated



that the wife was working as a Sales Representative with PRO Unlimited Global India Pvt. Ltd. and drawing a monthly salary of Rs.1,70,000/- whereas the husband was working as Business Head at Toyota Financial Services and drawing a monthly salary of Rs.5,00,000/-. It was further stated that the husband was getting rental income @ Rs.3.20 lakhs p.a. On the basis of the aforesaid facts as well as the income affidavit, ITRs and salary slips, interim maintenance of Rs.1,80,000/- p.m. for the minor child was fixed. In challenge to the said order, learned ASJ came to the conclusion that the quantum of interim maintenance was exorbitant and reduced the same. Both the husband and wife have challenged the said order by arguing that the same was passed without due consideration and appreciation of the facts and circumstances of the case.

6. I have heard learned counsels for the parties and also perused the material placed on record.

7. The salary slips of both the husband and the wife have been placed on record in the present proceedings. As per the husband's salary slip for the month of April 2022, he is working as Senior Vice President at Toyota Financial Services and drawing a net salary of Rs.5,14,890/- p.m. whereas as per the wife's salary slip for the month of September, 2022, she is working as Professional Services Account Executive and drawing a net salary of Rs.1,60,328/- p.m. During the course of present proceedings, it has been informed by learned counsel for the husband that though the husband had two dependants namely his mother and his sister, however, both of them have expired.

8. From the discussion hereinabove, it is clear that the wife is earning well and therefore, the decision of the courts below thereby denying grant of



interim maintenance in favour of the wife is appropriate. Insofar as the minor child is concerned, this Court is cognizant of the fact that it is the duty of both the parents to maintain their child. While the learned MM had granted interim maintenance @ Rs.1,80,000/- p.m., the same was modified by the learned ASJ to Rs.1,50,000/- p.m., stating therein that the same was exorbitant in proportion to the child's needs. In the considered opinion of this Court, the order passed by the learned ASJ w.r.t interim maintenance of minor child is appropriate considering the facts and circumstances of the case. The said amount is adequate in order to meet the expenses of the child relating to education, food, clothing etc. and at the same time, is not too exorbitant if the net salary of the husband is considered. Looking into facts of the present case and in light of the decision of this Court in Annurita Vohra v. Sandeep Vohra<sup>1</sup>, the impugned order requires no interference.

9. It is informed that the proceedings before the learned Trial Court are at the stage of complainant evidence. Considering the aforesaid as well as the fact that the impugned order relates to grant of interim maintenance only, I find no ground to interfere with the same. However, it is clarified that in case at the time of disposal of the maintenance petition/application, the learned Trial Court comes to the conclusion that the minor child is entitled to lesser or higher maintenance, the learned Trial Court would be at liberty to grant adjustment of the arrears either way.

10. Needless to state that the observations made herein above are only for the purpose of disposal of present petition and the same shall not have any bearing on the outcome of trial.

11. Petitions are disposed of as dismissed in the above terms alongwith

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<sup>1</sup> 2004 SCC OnLine Del 192



miscellaneous applications.

**APRIL 9, 2024**  
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**MANOJ KUMAR OHRI, J**