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

+ **CRL.M.C. 7081/2024 & CRL.M.A. Nos. 27035-36/2024**

RAJENDER DUBEY @ DEEPU

.....Petitioner

Through: Mr. Birendra Kumar Mishra,
Advocate.

versus

SMT. ARTI

.....Respondent

Through: Mr. Pankaj Gupta and Mr. Prashant
Bhardwaj, Advocates along with
Respondent in person.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

11.11.2024

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1. Counsel for the petitioner states that this petition challenges the impugned order dated 16th July 2024, passed in CRL.A. 59/2024. By the said impugned order, appeal under Section 29 of the DV Act was dismissed, challenging the award of interim maintenance of Rs. 32,000/- per month, in addition to the maintenance granted by the Family Court of Rs. 11,000/- per month, to the respondent/wife and two minor children of 11 and 7 years who are staying with the wife.

2. It is noted in the order dated 24th August 2023, passed in application under Section 23 of DV Act, that Rs. 11,000/- granted by the Family Court under Section 125 Cr.P.C., was directed, after assessing the monthly income to be around Rs. 35,000/- per month. The Court has then gone on to advert to the credit transactions in the account of the petitioner, as well as the income affidavit, and assessed the income to be at least Rs. 80,000/- per



month, on which basis, an additional amount of Rs. 32,000/- per month was granted in favour of respondent/wife.

3. The Court has perused the orders and heard counsels for the parties. Counsel for the petitioner states that assessment raised by the Magistrate at Mahila Court was erroneous.

4. Counsel for the respondent, however, states that the whole assessment was accurate and was based on the documents on record of the Court.

5. This Court has also perused the said record and does not find any reason to interfere in the impugned order.

6. Accordingly, petition is dismissed. Pending applications also stand disposed of as infructuous.

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

ANISH DAYAL, J

NOVEMBER 11, 2024

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