



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

324/1

CR-5299-2024
Reserved on : 30.09.2025
Pronounced on : 22.12.2025
Uploaded on : 22.12.2025

Whether only operative part of the judgment is pronounced? No
Whether full judgment is pronounced? Yes

Rachna Srivastava Petitioner

versus

Sanjay Srivastava and another Respondents

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Petitioner in person.
Mr. Saurabh Bhatia, Advocate
for respondent No.1.
Mr. Kulwinder Singh, Advocate (through V.C.)
for respondent No.2.

PANKAJ JAIN, J.

1. Present revision petition has directed against order dated 05.08.2024 passed by Additional Sessions Judge, Gurugram where appeal preferred by the petitioner under Section 29 of the Protection of Women from Domestic Violence Act, 2005 against order dated 30.04.2022 passed by the JMIC, Gurugram has been dismissed.
2. The dispute relates to matrimonial discord between the parties. They were married on 15.08.1997 as per Hindu rites and customs. The petitioner was a practising lawyer in Bombay and Goa before her marriage. She claims that she was forced to forgo her practice after marriage. The parties first resided in New Delhi and later on in Gurugram. Petitioner filed an application under Sections 12, 18, 19, 20, 22, 23 of Protection of Women from Domestic Violence Act,



2005. Along with the plaint, she preferred an application seeking interim maintenance from respondent claiming that respondent No.1-the husband is a man of considerable means. He is in a profession where he deals with stocks, shares and mutual funds. He admits of earning approximately Rs.3.5 lakhs per month. Both the parties filed their respective affidavits enlisting their assets and liabilities in terms of ratio of law laid down by Supreme Court in *Criminal Appeal No.730 of 2020 decided on 04.11.2020, titled as 'Rajnish vs. Neha'*. JMIC after analysing the evidence came to the conclusion that admittedly, the complainant is residing in the shared household and keeping in view the admitted income of respondent No.1, i.e. Rs3.5 lakhs per month, the complainant is entitled for interim maintenance of Rs.50,000/- per month.

3. In appeal preferred by the petitioner, the order has been affirmed vide impugned order dated 05.08.2024 passed by Additional Sessions Judge, Gurugram.

4. Petitioner has assailed the orders passed by the Courts below. Petitioner, who appeared in person claims that respondent No.1 spent an amount of Rs.2 crore on marriage of respondent No.2. He has no other liability. From the affidavit filed by respondent, it is evident that respondent No.1 has admitted income of Rs. 3.5 lakhs per month. As per settled proposition of law, petitioner is entitled to the same status as is being enjoyed by the respondent and thus the interim maintenance granted by the Courts below deserves to be enhanced.

5. *Per contra*, respondents claimed that the complainant-petitioner has deliberately withheld her income and has not approached



the Court with clean hands. The complainant is a well educated and financially self sufficient individual. She is earning substantial income from consultancy. She is earning revenue from Youtube, facebook and other sources. She possesses significant assets and maintains sufficient bank balance. She has fixed deposits approximately Rs.10.66 lakhs apart from insurance policies and gold jewellery. The Court has already provided her protection order on 11.02.2022 which is still in vogue. Under the said order, petitioner is currently living in the shared accommodation. She has no expenses, as she is not required to spend anything on accommodation. In view thereof, the Courts below have rightly granted Rs.50,000/- as interim maintenance.

6. I have heard the parties and have carefully gone through the records of the case.

7. The affidavit of assets and liabilities of the parties is on record. Present petitioner has detailed out her liabilities as loan of Rs.5 lakhs taken from her brother and mother towards litigation fee and claims her monthly expenses of Rs.2 lakhs for taking care of grocery, household expenses and daily necessities. Respondent on the other hand has admitted his monthly income to be Rs.3,72,543 and claims his monthly expenses to be Rs.3,32,900/-. The respondent has also placed on record income tax return of complainant for the year 2021-22 as per which her income is shown to be Rs.17.16 lakhs.

8. Keeping in view the fact that both the parties are sharing the household and the respondent claims his own monthly expenses to be Rs.3,32,900/-, this Court finds that applying the principle that the wife is entitled to enjoy the status as is being enjoyed by husband,



present revision petition is disposed off by modifying the impugned orders to the extent that the petitioner is entitled to interim maintenance of Rs.75,000/- to be paid by respondent No.1-husband.

9. Ordered accordingly.

(PANKAJ JAIN)
JUDGE

22.12.2025

Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No