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

+ CRL.REV.P.(MAT.) 36/2025, CRL.M.A. 2148/2025

DR NAMAN SHARMA

.....Petitioner

Through: Mr. Manish Kaushik and Mr. Ajit Singh
Joher, Advocates.

versus

DR PREETI SHARMA & ANR.

.....Respondents

Through: Ms. Pooja Sarwal, Advocate.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

26.03.2025

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1. A Criminal Revision Petition under Section 19(4) of the Family Courts Act, 1984 read with Section 482 of BNSS has been filed on behalf of the Petitioner to challenge the Order dated 13.11.2024 of learned Principal Judge, Family Court, vide which the Interim Maintenance in the sum of Rs.25,000/- per month has been awarded to the wife/Dr. Preeti Sharma and Rs.50,000/- per month to the eight year old child.

2. It is submitted that Respondent is a qualified M.S. Doctor, who is working at a Hospital in Mujjaffar Nagar and is having a gross salary of Rs.1.9 lakhs per month and a net salary of Rs.1.3 lakhs per month. The Petitioner herein is also a qualified Doctor who is working in a Nursing Home run by his father and is getting a salary of Rs.1 lakh per month. It is also submitted that the Petitioner's brother and his wife are also working in the same Nursing Home and all are getting a salary from there.

3. It is further submitted that as per the Affidavit of Income of the Respondent, the monthly expenditure of the child has been shown as Rs.25,000/- per month. There is no justification given for awarding Rs.50,000/- per month for the child, essentially



when the Respondent No.1 is an equally qualified and a competent Doctor having more income than the Petitioner.

4. It is, therefore, submitted that though Rs.25,000/- awarded to the wife are also not justiciable, but the interim maintenance granted to the child needs to be reduced considering that the expenses of the child are required to be shared by both the parents.

5. *Learned counsel on behalf of the Respondent* submits that the Petitioner has various properties and resources as has been stated by the Respondent in her Affidavit of Income. It is further submitted that on an average Rs.45 lakhs per month is the income of the Petitioner. It is further stated that there is a huge income disparity as the Respondent No.1 has income only from her job. It is, therefore, submitted that there is no infirmity in the impugned Order and the Petition is liable to be dismissed.

Submissions heard and record perused.

6. As has been submitted, the Petitioner who is a young Doctor of 32 years is similarly placed as Respondent No.1, who is an equally qualified Doctor and having similar income. Even though Respondent No.1 has claimed that the Petitioner has an overall income of about Rs.45 lakhs per month and has also referred to some entries in the Bank account, but that in itself is an estimation for which there is no cogent basis. Essentially, according to the Petitioner he is getting a salary of Rs.1 lakh from his father for working in his Nursing Home. Even if it is accepted that the Petitioner may be getting more salary, but it cannot be overlooked that as per the Affidavit of Respondent No.1 herself, the expenditure of the child is Rs.25,000/- per month.

7. Even though it has been claimed that the expenditure of Rs.25,000/- should be shared equally by both the parents, but considering the totality of circumstances, the interim maintenance of Rs.50,000/- to the child is reduced to Rs.25,000/- per month.

8. In so far as Rs.25,000/- per month granted to the wife, that does not require any modification.

9. The impugned Order dated 13.11.2024 is accordingly modified and the Petition and pending Application stand disposed of.



NEENA BANSAL KRISHNA, J

MARCH 26, 2025/va