



\$~20

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

+ **CRL.REV.P.(MAT.) 118/2025 & CRL.M.A. 7910/2025**

MOHAMMAD EHTESHAM

NAYAB & ORS.

.....Petitioners

Through: Mr. SS Hora, Adv.

versus

SADAF SALEEM

.....Respondent

Through: Ms. Aanchal &
Ms. Misha, Advs.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

11.11.2025

%

1. By the present petition, the petitioners challenge the order dated 20.11.2024 (hereafter '**the impugned order**') passed by the learned Court of Sessions in CA No. 35/2024 thereby dismissing the appeal filed by the petitioners against the order dated 20.12.2023 passed by the learned Mahila Court, Tis Hazari Courts, whereby Petitioner No. 1 was directed to pay interim maintenance of ₹25,714/- per month each to the respondent/ wife and two minor children.

2. The learned Mahila Court, taking note of the fact that Petitioner No. 1 was earning a sum of approximately ₹1,80,889/- per month, granted the interim maintenance as noted above and kept the matter for the parties to lead evidence.

3. The learned counsel for the petitioners submits that



Petitioner No. 1 is on a temporary/ contractual job in Dubai and, therefore, the status of his income keeps changing and is dependent on his extension/ renewal of the contract.

4. The learned Appellate Court took note of the said submission and rightly held that the petitioner is at liberty to file an appropriate application and take recourse of the available legal procedure/ remedies depending on the changing circumstances, however, the same cannot be a ground to nullify the interim order which has been passed on the basis of the assessment of Petitioner No. 1's income.

5. The petitioners have not disputed the domestic relationship with the respondent. It is also not disputed that the respondent is taking care of the minor children.

6. Raising and providing for the interests of two children is a challenging task which demands substantial effort and dedication. Petitioner No. 1, in such circumstances, in the opinion of this Court, is duty bound to maintain the wife and minor children for which the interim maintenance of ₹25,714/- per month for each of the dependents, is not unreasonable considering that the petitioner was found to have been earning a sum of approximately ₹1,80,889/- per month.

7. It is not disputed that the impugned order is only an order of interim maintenance. The defences raised by the petitioners, along with the allegations and counter allegations, would be the subject matter of the trial, and would have to be decided after the parties have led their evidence.

8. Any variation in the income can be brought to the notice of the learned Trial Court by filing an appropriate application on



which Court would be duty bound to pass appropriate orders.

9. I, therefore, find no reason to interfere with the impugned order.

10. The present petition is, therefore, dismissed. Pending application also stands disposed of.

AMIT MAHAJAN, J

NOVEMBER 11, 2025

“SS”