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

Date of decision: 09.09.2025

+ MAT.APP.(F.C.) 430/2024, CM APPL. 74079/2024 (Stay), CM APPL. 25454/2025 (For Dir.) & CM APPL. 39608/2025 (Delay of 49 days in filing the reply in CM No. 25454/2025)

NITIJ ARENJA

.....Appellant

Through: Mr. Sanjay Abbot, Ms.
Vasundhara Bakhru, Ms.
Shreya Singhal, Ms.
Mhasilenuo Kreditsu, Ms.
Kushagra and Ms.
Vijayrajeshwari Kumari,
Advocates.

versus

ANGELLINA ARENJA

.....Respondent

Through: Mr. Prabhjit Jauhar and Mr.
Ben Daniel Mathew,
Advocates.

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

**HON'BLE MR. JUSTICE HARISH VAIDYANATHAN
SHANKAR**

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JUDGEMENT (ORAL)

ANIL KSHETARPAL, J.

1. The present Appeal under Sections 19 and 10 of the Family Courts Act, 1984, read with Section 28 of the Hindu Marriage Act, 1955, assails the Orders dated 05.09.2024 and 05.12.2024, passed by the **learned Judge, Family Courts, Saket (South)**¹ in **HMA No. 1044 of 2022.**

2. The Husband (Appellant) is in Appeal against the Order of

¹ The learned Family Court



maintenance *pendente lite*. The learned Family Court has held that the Wife (Respondent) shall be entitled to maintenance at the rate of Rs. 2,50,000/- along with the salary of a maid and a driver, with a cap of Rs. 20,000/- per person.

3. Learned counsel for the parties have been heard at length. Learned Counsel for the Appellant submits that the Respondent is a qualified Master of Business Administration [“**MBA**”] and has rental income of Rs. 43,200/- per month apart from income from interest at the rate of approximately Rs. 30,000/- per month. It was also submitted that as per her Income Tax Return [“**ITR**”], she earns Rs. 29 Lakh. Learned counsel further submits that the Respondent has entered into an agreement with her brother for payment of Rs. 2,50,000/- till the divorce petition is decided.

4. On the other hand, learned counsel for the Respondent submits that she was getting salary from the Appellant’s company, which was stopped the day the divorce petition was filed. It is further submitted that as per ITR for the Assessment Year 2023-24, the Appellant’s individual income is Rs. 1,32,57,640/-. He submits that the Appellant is Director and Shareholder in eight companies and he has given unsecured loans of more than Rs. 31 Crore to his various companies. It is also submitted that the Family is used to affluent lifestyle as they were having six maids and four drivers.

5. This Court has considered the submissions. As far as agreement between the Respondent and her brother for payment of Rs. 2,50,000/- till the divorce petition is decided, it is not her income. This is the amount which the brother has agreed to pay to the Respondent. It includes the amount of rent. Admittedly, the Appellant stopped paying her salary. Hence, her regular income stopped. Now, her income is



approximately Rs. 73,0000/- per month (Rs. 43,200/- rental and Rs. 30,000/- interest), whereas the income of the husband is Rs. 1,32,57,640/-. Though the Appellant is taking care of two children born out of wedlock, however, keeping in view the income of the Appellant, the amount awarded by the learned Family Court is not excessive rather reasonable.

6. In the end, learned counsel for the Appellant submitted that the learned Family Court has directed payment of maintenance from the date of application, which was filed along with the divorce petition. She submits that this application was not pressed till 05.02.2024.

7. The application was filed along with the divorce petition, the Respondent's salary stopped from the day the divorce petition was filed.

8. Hence, the Court has not erred in granting the amount from the day the application was filed.

9. Consequently, finding no merit, the Appeal, along with pending application(s), if any, is dismissed accordingly.

ANIL KSHETARPAL, J.

HARISH VAIDYANATHAN SHANKAR, J.
SEPTEMBER 09, 2025/nd/kr/rn