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

% ***Date of Decision: 27.10.2026***

\# **CNR No.DLHC010511112026**

\+ **CRL.REV.P.(MAT.) 642/2026, CRL.M.A. Nos.33362/2026, 33364/2026, 33365/2026**

SUNIL KUMAR JANGIR .....Petitioner

Through: Mr. Rajender Kumar and Mr. Ashwani Jangid, Advocates.

versus

JUHI SINGH BANSIWAL & ANR. .....Respondents

Through:

CORAM:
HON'BLE MR. JUSTICE SACHIN DATTA

SACHIN DATTA, J. (ORAL)

CRL.REV.P.(MAT.) 642/2026 & **CRL.M.A. No.33363/2026** (seeking condonation of delay of 729 days in filing the petition)

1. The present revision petition under Section 438 read with Section 528 of the Bharatiya Nagarik Surkasha Sanhita (BNSS), 2023, assails a judgment/order dated 24.05.2024 passed by learned Judge, Family Court-02, West District, Tis Hazari Courts, Delhi in MT No.902/2021.

2. By way of the said judgment, a petition filed under Section 125 Cr.P.C. by the respondent nos.1 and 2 was allowed and the petitioner was directed to pay maintenance of Rs.75,000/- per month to the respondents with effect from the date of registration of the petition i.e., 21.12.2021. The arrears from 21.12.2021 upto 31.05.2024 were to be cleared within nine months from the date of the order i.e. 25.05.2024 and thereafter, from the month of June 2024, the maintenance was to be paid on or before the seventh day of each month.

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3. Although the petition describes the impugned order as one of interim maintenance, the impugned order disposes of the petition under Section 125 Cr.P.C along with any pending applications.

4. The petitioner, who is stated to reside in Dubai, filed his reply before the Family Court. However, he was proceeded *ex-parte* from 22.12.2023 inasmuch as neither he nor his counsel appeared. The same has been duly recorded in the impugned order dated 24.05.2024.

5. The period of limitation for filing the present petition has long expired. The application i.e., CRL.M.A. No.33363/2026 seeks condonation of delay of 729 days in filing the present revision petition. The only explanation given is as under:

> *"3. It is submitted that the revisionist has suffering many medical problems disease seviour back pain and mental disease since past 2 years and revisionis get treatement in dubai and due to these mental health problem revisionist is in very depressed . Due to all of these he could not consult with the new counsels he wants to engage for the present petition to challenge the impugned order dated 24.05.2024 before this hon'ble Court.*
>
> *4. It is submitted that the delay in filing of the present petition is neither intenional nor deliberate and the condonation of delay shall not prejudice the right/title or interest of the petitioner.*
>
> *5. That the revisionist is resident in dubai and he has burdened with a lot of day to day his office responsibilities and his physical and mental health is not good."*

6. The aforesaid averments are bald averments unsupported by any cogent material.

7. The medical records sought to be relied upon are inchoate. In any event, they do not reveal that the petitioner was unable to take requisite steps, much less does it afford an adequate explanation for the extraordinary delay that has taken place.

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8. Importantly, a perusal of the documents attached at Annexure P-4 to the present petition reveal that the petitioner has himself filed an affidavit of assets and liabilities, verified at Dubai on 13.12.2025. The same affidavit was filed by the petitioner in a Complaint Case pending between the petitioner and respondent no. 1 before the learned JMFC, Mahila Court, Tis Hazari Courts, Delhi. The affidavit reads as under:-

AFFIDAVIT OF ASSETS AND LIABILITIES FOR NON-AGRARIAN DEPONENT

I, SUNIL KUMAR JANGIR S/o Late sh. Babulal Jangir, R/o flat 113, Building 29, Discovery gardens, Dubai aged about 45 years, do hereby solemnly affirm and declare as under:

A. Personal Information		
1.	Name	Sunil Kumar Jangir
2.	Age/Sex	Male
3.	Aadhar Card	9322 8887 6665
4.	PAN Card	BVAPJ300M
5.	Passport	Z 3672408
6.	Qualifications (Educational & Professional)	M.com
7.	Whether the Applicant is staying in the matrimonial house / parental home / separate residence. Please provide the current residential address of matrimonial home or place	Flat No.- 113, Building 29, Discovery Gardens Dubai (UAE) (RENTAL)

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	of residence and details of ownership of residence, if owned by other family member. --	
8.	Date of marriage	**25.11.2016**
9.	Date of separation	**23.11.2017**
10.	General monthly expenses of the respondent (Rent, household expenses, medical bills, transportation, etc.)	**Rs. 7,77,599/- (Including all)**
11.	Particulars of any ongoing or past legal proceedings with respect to maintenance or child support between the Applicant and Non-Applicant	Maintenance Awarded Against Respondent for **Sum of Rs. 75,000/-** By Hon'ble Court
12.	Whether any maintenance has been awarded in any proceeding arising under the D.V.Act, Cr.P.C., HMA, HAMA, etc.? If yes, provide details of the quantum of maintenance awarded in the proceedings.	**Yes, as above**
13.	If so, provide particulars thereof, along with a copy of the Order/s passed	Yes
14.	Whether the Order of maintenance passed in earlier proceedings has been complied with. If not, arrears of maintenance	**RESPONDENT HAS PAID Rs. 4,00,000/- AND Rs. 26 Lakhs ARE PENDING. THE PRESENT EXECUTATION IS ONLY PENDING FOR THE SAME.**
15.	Whether any voluntary contribution towards maintenance has been made/ will be made in the future? If yes, provide details of the same	N/A

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B. DETAILS OF DEPENDANT FAMILY MEMBERS		
1.	Details of Dependent family members, if any	N/A
2.	Relationship with dependents	N/A
3.	Age and sex of dependent/s	N/A
4.	Disclose if any independent source/s of income of the dependent, including interest income, assets, pension, tax liability on any such income and any other relevant details	N/A
5.	The approximate expenses incurred on account of the dependent	N/A

C. MEDICAL DETAILS IF ANY, OF THE DEPONENT AND/OR DEPENDANT FAMILY MEMBERS		
1.	Whether either party or child /children is suffering from any physical / mental disability, or any other serious ailment. If yes, produce medical records	Yes (Sunil Kumar Jangir) **F32.2 & F41.0** - Major depressive, Single Episode, Severe without Psychotic Features **Medical documents provided**
2.	Whether any dependent family member has serious disability, requiring continuous medical expenditure. If yes, produce disability certificate and approximate medical expenditure incurred on such medical treatment.	NO
3.	Whether either party or child/children or any other dependent family member is suffering from life-threatening diseases, which would entail expensive and regular medical expenditure? If yes, provide details of the same along with summary of previous details of hospitalization/medical expenses incurred.	NO

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D. DETAILS OF CHILDREN OF THE PARTIES		
1.	Number of children from the existing marriage / marital relationship/ previous marriage	One
2.	Name and age of child	Dhruvika
3.	Details of the parent who has the custody of the children	Mother
4.	Expenditure for maintenance of dependent child	-
5.	Towards food, clothing and medical expenses	-
6.	Towards expenses for education, and a summary of general expenses	-
7.	Towards expenses, if any, of any extra educational, vocational or professional / educational course, specialized training or special skills programmed of dependent child	-
8.	Details of any loan, mortgage, charge incurred or installment plan (being paid or payable), if any, on account of any educational expenses of child	-
9.	Whether any voluntary contribution by either of the parties is being made towards these educational expenses. If yes, provide details of the same. Also provide an estimate of any additional contribution that may be required	-
10.	Whether any financial support is being provided by a third party for the educational expenses of the children	-

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E. DETAILS OF INCOME OF THE DEPONENT				
1.	Name of employer	CHEIL MEA FZ LLC		
2.	Designation	Senior Channel Manager		
	Monthly income	**Description**	**AED**	**INR (Con. Rate 24.5)**
3.	Salary		25,052	**613,774**
4.	Bonus **(Variable)**	Half salary every 6 months	2,087	**51,131**
5.	Rent Sharing	With Friend	2,750	**67,375**
	Total Income	**Monthly**	**29,889**	**7,32,280**
6.	If engaged in Government Service, furnish latest			NO
7.	Salary Certificates or current Pay Slips or proof of deposit in bank account, if being remitted directly by employer			Yes
8.	If engaged in the private sector, furnish a certificate provided by the employer stating the designation and gross monthly income of such person, and Form 16 for the relevant period of current employment			Yes
9.	If any perquisites, benefits, house rent allowance, travel allowance, dearness allowance or any other service benefit is being provided by the employer during the course of current employment			NO
10.	Whether assessed to income tax			NO
11.	If yes, submit copies of the Income Tax Returns for the periods given below			NO
	(i) One year prior to marriage			NO

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	(ii) One year prior to separation	NO
	(iii) At the time when the Application for maintenance is filed	NO
12.	Income from other sources, such as rent, interest, shares, dividends, capital gains, FDRs, Post office deposits, mutual funds, stocks, debentures, agriculture, or business, if any alongwith TDS in respect of any such income	NO
13.	Furnish copies of Bank Statement of all accounts for the last 3 years	**Copy Attached**

F. ASSETS (MOVABLE AND IMMOVABLE) OWNED BY THE DEPONENT		
1.	Self-acquired property, if any	NO
2.	Properties jointly owned by the parties after marriage	NO
3.	Share in any ancestral property	NO
4.	Other joint properties of the parties (accounts/ investments/ FDR/ mutual funds, stocks, debentures etc.), their value and status of possession	NO
5.	Status of possession of immovable property and details of rent, if leased	No
6.	Details of loans taken or given by the Deponent	NO
7.	Details of loans taken or given by the Deponent	SEPRATE SHEET HAS ATTACHTED
8.	Brief description of jewelry and ornaments of parties acquired during /after marriage	Gold Necklace, Gold Bangles,
9.	Details of transfer deeds or transactions of alienation of	N

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	properties previously owned by the applicant, executed during the subsistence of the marriage, if any	

G. DETAILS OF LIABILITIES OF THE DEPONENT				
1.	Loans, liabilities, mortgage, or charge outstanding against the Deponent, if any			
	Details	**Total (AED**	**Monthly EMI (AED**	**Monthly EMI (INR)**
	Bank Loan	445,644	9,481	**2,32,284.5**
	Motorbike Loan (EMI by two credit cards)	40,000	1,666	**40,817**
	Cash Loan	282,000	2,940	**72,030**
	Interest on cash loan	5,500	458	**11,221**
	Credit Card	15,194.73	1,000	**24,500**
	Total Labilities		**15,545**	**3,80,852**
2.	Any other information which would be relevant to describe current liabilities of the Deponent			**NO**

H. STATEMENT OF EXPENDITURE OF THE DEPONENT				
1.	**Housing**			
	Housing (Rent)	**Total Annual (AED)**	**Monthly EMI (AED**	**Monthly EMI (INR)**
	House Rent	65,000	5,416.5	**1,32,704.25**
	Admin & Service charges	26,250	2,187.5	**53,593.75**
	Maintenance Charges	12,525	1,043.75	**25,571.87**
	Ejari Services	3,150	262.5	**6,431.25**
2	**Household Expenditure**			
	Groceries/Food/		1,500	**36,750**

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	Personal care / Clothing (Variable)			
	Water & Electricity (Variable)	-	1,600	**39,200**
	Telephone (Variable)	-	600	**14,700**
3.	**Transportation**			
	Insurance * Bike 1,470 * Car 1,890	3,360	280	**6,860**
	Fuel & Salik (Variable)	-	500	**12,250**
	Repair & Maintenance	-	500	**12,250**
	Total Expenditure		**13,890.25**	**3,40,311.25**

I. Statement of Assets

Sr	Assets	Particulars	Estimated Market Value
1.	**Real Estate** Including land, built up properties, lease-hold, properties, agricultural land, investment in real estate, such as booking of plots, flats and other immovable properties in your name or joint names. List any interest in properties whether or not you are registered as owner. Provide legal description and indicate estimated market value of your interest without deducting encumbrance or costs of disposition (Record encumbrances under debts)	**N/A**	**N/A**

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2.	**Financial Assets** • Details of all bank accounts including current and savings accounts in your name, or joint name and balance in the said account	Emirates Islamic Bank (UAE) A/C AE65 0340 0037 0746 9433 201 NRE A/C ICICI 147501000996 NRO A/C ICICI 147501075305	**AED 470.39** **Rs. 1.76** **Rs. 1,895.54**
	• Cash in Hand	AED 600	**Rs. 14,700**
3.	**Investments** Details of all investments you hold or in which you have interest and their current value A) FDR, NSC, IVP, KVP, post office scheme, PPF etc B) Deposits with government and Non govt entities. C) Stocks, shares, debentures, bonds units and mutual funds etc. D) Life and endowment policies and surrender value E) Loan given to friends, relatives and others F) Other investments not covered by above	**N/A**	**N/A**
4.	**Pension & Registered Retirement Saving Plan**	**N/A**	**N/A**

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	Indicate name of institution where accounts are held, name and address of pension plan and pension details.		
5.	**Corporate/Business Interests** List any interest you hold, directly or indirectly, in any corporation, unincorporated business partnership, trust, join venture and association of persons, society etc.	**N/A**	**N/A**
6.	**Movable Assets** A) Motor vehicle (List cars, motorcycle, scooters etc. along with their brand and registration number	Car Hyundai Santa FE (2014) M43120	Current Value AED 20,500 **(Rs. 5,02,250)**
		Motorbike Kawasaki Z900 (2025)	Current Value AED 44,999 **(Rs. 11,02,500)**
	B) Livestock	**N/A**	**N/A**
	C) Mobile Phone(s)	Samsung S23 Ultra used phone	AED 1,650 (Rs. 40,000)
	D) Computer / Laptop	NO	NO
	E) Other electronic gadgets	NO	NO
	F) TV / Fridge / AC etc.	NO	NO
	G) Other House-hold appliances	NO	NO
	H) Quantity of gold, silver and diamond jewellery	NO	NO
7.	Intangible properties including patents, trademark, copyright design and goodwill and their value	NO	NO

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8.	**About disposal of properties** Particulars of properties (movable as well immovable) sold/agreed to be sold between the dates of marriage or one year from the separation whichever is later up to the date of filing this affidavit and the sale consideration received from the purchaser	N/A	N/A
9.	**Others** List anything else of value that you own including precious metals, collections, works of art, jewellery or household items of high value, including locations of any safety deposit lockers	N/A	N/A

	J. SELF-EMPLOYED PERSONS / PROFESSIONALS / BUSINESS PERSONS / ENTREPRENEUR	
1.	a. Brief description of nature of business/profession/vocation/self-employed/work activity.	N/A
2.	Whether the business/profession/ self-employment is carried on as an individual, sole proprietorship concern, partnership concern, LLP, company or association of persons, HUF, joint family business or any other form? Give particulars of Applicant's share in the	N/A

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	partnership/business/ professional association/self-employment. In case of partnership, specify the share in the profit/losses of the partnership.	
3.	Net Income from the business/profession/ partnership/self-employment.	N/A
4.	Business/partnership/self-employment liabilities, if any, in case of such activity.	N/A
5.	In case of business of company, provide brief details of last audited balance sheet to indicate profit and loss of the company in which such party is in business in the company.	N/A
6.	In case of a partnership firm, provide details of the filings of the last Income Tax Return of partnership.	N/A
7.	In case of self-employed individual, provide the filings of the last Income Tax Return from any such professional/business/vocational activity.	N/A

K. RELEVANT INFORMATION RELATING TO THE SPOUSE		
1.	Educational and professional qualifications of your spouse	B.E. Information Technology

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2.	Whether your spouse is earning? If so, give particulars of the occupation and income of the spouse.	Was earning **INR 75,000** from 2014 till 2016. (can be verified with below bank A/C number ICICI bank: 1843 0150 0387)
3.	whether he/she is staying in his/her own accommodation, or in a rented accommodation or in accommodation provided by employer / business /partnership	Parental Home
4.	Particulars of assets and liabilities of spouse as known to the deponent, along with any supporting documents	No Labilities

	L. DETAILS OF APPLICANT OR THE OTHER SPOUSE, IN CASE PARTIES ARE NON-RESIDENT INDIANS, OVERSEAS CITIZENS OF INDIA, FOREIGN NATIONALS OR PERSONS LIVING ABROAD OUTSIDE INDIA.	
1.	Details of Citizenship, Nationality and current place of residence, if the Applicant or other spouse is residing abroad outside India, temporarily or permanently.	Indian Citizen, Living in Dubai (UAE) on a residence Visa
2.	Details of current employment and latest income in foreign currency of such	Mentioned in Income details Row

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	applicant/spouse, duly supported by relevant documentation of employment and income from such foreign employer or overseas institution by way of employment letter or testimonial from foreign employer or overseas institution or latest relevant bank statement.	
3.	Details of household and other expenditure of such applicant/spouse in foreign jurisdiction.	N/A
4.	Details of tax liability of applicant/other spouse in foreign jurisdiction.	N/A
5.	Details of income of applicant/other spouse from other sources in India/foreign jurisdiction.	N/A
6.	Details of expenses incurred or contribution made on account of spousal maintenance, child support or any other educational expenses, medical treatment of spouse or children.	N/A
7.	Any other relevant detail of expenses or liabilities, not covered under any of the above headings and any other liabilities to any other dependent family members in India or abroad.	Legal Fee for the ongoing cases

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ENCLOSURE - II

DETAILS FOR AFFIDAVIT FOR AGRARIAN DEPONENTS (KRISHI)

1. Total extent of the rural land/s owned, or the specific share holding in the sameland:
2. Jamabandis / Mutations to show ownership
3. Location of the land owned by the party.
4. Nature of land: whether wet land or dry land.
5. Whether such land is agricultural land or non-agricultural land:
6. Nature of agriculture / horticulture:
7. Nature of crops cultivated during the year :
8. If rural land is not cultivable, whether the same is being used for business, leasingor other activity:
9. Income generated during the past 3 years from the land.
10. Whether any land is taken on lease /battai (or any other term used for a lease in the local area of the concerned jurisdiction where rural /agricultural land is located.)
11. (a) Whether owner of any livestock, such as buffaloes, cows, goats, cattle, poultry, fishery, bee keeping, piggery etc., the number thereof and Income generated therefrom?

    (b) Whether engaged in dairy farming, poultry, fish farming or any other livestockactivity.
12. Loans, if any obtained against the land. Furnish details of such loans.
13. Any other sources of income :
14. Liabilities, if any
15. Any other relevant information:

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DECLARATION

1. I declare that I have made a full and accurate disclosure of my income, expenditure, assets and liabilities from all sources. I further declare that I have no assets, income, expenditure and liabilities other than as stated in this affidavit.
2. I undertake to inform this Court immediately with respect to any material change in my employment, assets, income, expenses or any other information included in this affidavit.
3. I understand that any false statement in this affidavit, apart from being contempt of Court, may constitute an offence under Section 199 read with Sections 191 and 193 of the Indian Penal Code punishable with imprisonment upto seven years and fine, and Section 209 of Indian Penal Code punishable with imprisonment upto two years and fine. I have read and understood Sections 191, 193, 199, and 209 of the Indian Penal Code,1860.

9. It is noticed that the petitioner himself stated in the aforesaid affidavit dated 13.12.2025 that maintenance of Rs.75,000/- per month has been awarded against him; that he has paid Rs.4 Lakhs and that Rs.26 Lakhs was pending. It was also disclosed that the execution proceedings are pending for the same. In the same affidavit, the petitioner disclosed that the petitioner is employed at Dubai and is earning a salary of AED 29,889 (*i.e.*, Rs.7,32,280/-) per month.

10. Considering the facts and circumstances, this Court is not inclined to entertain the application for condonation of delay. The exacerbating circumstances are as follows: (i) the delay of over two years in challenging the impugned order awarding maintenance to his wife and the minor child; (ii) the absence of any particulars of the alleged illness that the petitioner is

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suffering from or the date when the impugned judgment came to the knowledge of the petitioner; (iii) the petitioner's own affidavit (reproduced above) showing knowledge of the judgment and of its execution at least as of December, 2025; and (iv) his conduct in not participating before the learned Family court after filing his reply.

11. Even otherwise, the petitioner does not make out a case for interference. The plea that the wife is qualified and capable of earning is by itself no ground to deny the relief of maintenance. This has been held in the case of ***Rajnesh v. Neha,*** (2021) 2 SCC 324. In the said judgment, the Supreme Court has observed as under:-

> *"90. The courts have held that if the wife is earning, it cannot operate as a bar from being awarded maintenance by the husband. The courts have provided guidance on this issue in the following judgments:*
> *90.1. In Shailja v. Khobbanna [Shailja v. Khobbanna, (2018) 12 SCC 199 : (2018) 5 SCC (Civ) 308; See also the decision of the Karnataka High Court in P. Suresh v. S. Deepa, 2016 SCC OnLine Kar 8848 : 2016 Cri LJ 4794 (Kar)] , this Court held that merely because the wife is capable of earning, it would not be a sufficient ground to reduce the maintenance awarded by the Family Court. The court has to determine whether the income of the wife is sufficient to enable her to maintain herself, in accordance with the lifestyle of her husband in the matrimonial home. [Chaturbhuj v. Sita Bai, (2008) 2 SCC 316 : (2008) 1 SCC (Civ) 547 : (2008) 1 SCC (Cri) 356] Sustenance does not mean, and cannot be allowed to mean mere survival. [Vipul Lakhanpal v. Pooja Sharma, 2015 SCC OnLine HP 1252 : 2015 Cri LJ 3451]*
> *90.2. In Sunita Kachwaha v. Anil Kachwaha [Sunita Kachwaha v. Anil Kachwaha, (2014) 16 SCC 715 : (2015) 3 SCC (Civ) 753 : (2015) 3 SCC (Cri) 589] the wife had a postgraduate degree, and was employed as a teacher in Jabalpur. The husband raised a contention that since the wife had sufficient income, she would not require financial assistance from the husband. The Supreme Court repelled this contention, and held that merely because the wife was earning some income, it could not be a ground to reject her claim for maintenance.*
> *90.3. The Bombay High Court in Sanjay Damodar Kale v. Kalyani Sanjay Kale [Sanjay Damodar Kale v. Kalyani Sanjay Kale, 2020 SCC OnLine Bom 694] while relying upon the judgment in Sunita Kachwaha [Sunita Kachwaha v. Anil Kachwaha, (2014) 16 SCC 715 : (2015) 3 SCC (Civ) 753 : (2015) 3 SCC (Cri) 589] , held that neither the mere potential to earn, nor the actual earning of the*

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wife, howsoever meagre, is sufficient to deny the claim of maintenance.

90.4. An able-bodied husband must be presumed to be capable of earning sufficient money to maintain his wife and children, and cannot contend that he is not in a position to earn sufficiently to maintain his family, as held by the Delhi High Court in Chander Parkash v. Shila Rani [Chander Parkash v. Shila Rani, 1968 SCC OnLine Del 52 : AIR 1968 Del 174] . The onus is on the husband to establish with necessary material that there are sufficient grounds to show that he is unable to maintain the family, and discharge his legal obligations for reasons beyond his control. If the husband does not disclose the exact amount of his income, an adverse inference may be drawn by the court.

90.5. This Court in Shamima Farooqui v. Shahid Khan [Shamima Farooqui v. Shahid Khan, (2015) 5 SCC 705 : (2015) 3 SCC (Civ) 274 : (2015) 2 SCC (Cri) 785] cited the judgment in Chander Parkash [Chander Parkash v. Shila Rani, 1968 SCC OnLine Del 52 : AIR 1968 Del 174] with approval, and held that the obligation of the husband to provide maintenance stands on a higher pedestal than the wife."

12. Accordingly, the application for condonation of delay is dismissed. The present petition is also consequently dismissed as barred by limitation. All pending applications also stand disposed of.

SACHIN DATTA, J

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