

Shiv Kumar vs.the State Govt of Nct of Delhi & Anr

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SooperKanoon Citation : sooperkanoon.com/1213848

Court : Delhi

Decided On : Apr-02-2018

Appellant : Shiv Kumar

Respondent : The State Govt of Nct of Delhi & Anr

Judgement :

\$~31 * IN THE HIGH COURT OF DELHI AT NEW DELHI DECIDED ON :

2. d APRIL, 2018 CRL.REV.P. 271/2018 SHIV KUMAR

... Petitioner

Through : Mr.Saquib N.Qureshi, Advocate with Mr.Sandeep Chaudhary, Advocate.
versus THE STATE GOVT OF NCT OF DELHI & ANR

... RESPONDENTS

Through : Ms.Radhika Kolluru, APP. CORAM: HON'BLE MR. JUSTICE S.P.GARG
+ S.P.GARG, J.

(Oral) CRL.M.A.No.5704/2018 (Exemption) Exemption allowed subject to all just exceptions. The application stands disposed of. CRL.REV.P. 271/2018 1. Present revision petition has been preferred by the petitioner against the order dated 12.01.2018 of learned Judge, Family Court, whereby `35,000/- has been awarded as interim maintenance to the respondent wife from the date of filing of the petition till further orders. Crl.Rev.P.271/2018 Page 1 of 2 2. Learned counsel for the petitioner urged that the amount granted is on the higher side and the petitioner

has other responsibilities to maintain his parents and the adopted child.

3. During the course of arguments, it was agreed that the amount paid shall be adjustable as and when final order on maintenance is passed. Excess amount, if any, shall be liable to be adjusted.

4. Learned counsel for the petitioner further urges that the trial be expedited.

5. Perusal of the file reveals that the salary of the petitioner is around `1,17,160/- (Annexure A3) for the month of August, 2017. After deductions, net salary comes to `59,384/-. However, all the deductions are not compulsory. The GPF contribution is ` 45,000/-. The petitioner has also not disclosed the interest income from GPF contribution.

6. Considering the facts and circumstances of the case, the impugned order granting interim maintenance @ `35,000/- cannot be termed unreasonable.

7. The revision petition stands disposed of with the directions that the amount paid pursuant to the order shall be without prejudice and subject to future adjustment. The Trial Court shall expedite the disposal of the main petition. APRIL02 2018 / tr (S.P.GARG) JUDGE CrI.Rev.P.271/2018 Page 2 of 2