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

+ **CRL. REV. P. 67/2019**

RAHUL RAJ

..... Petitioner

Through Mr Ashutosh Jha, Advocate with
Mr Abhimanue Shrestha, Advocate.

versus

DEEPTI AGGARWAL

..... Respondent

Through Mr Jatan Singh, APP for state.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **10.06.2020**

[Hearing held through videoconferencing]

CRL. M.A. 7430/2020

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

CRL. M.A. 7429/2020

3. The petitioner has filed the present application seeking modification of the order dated 18.01.2019 passed by this Court whereby this Court had directed the petitioner to pay a sum of ₹1,00,000/- (one lakh) per month from the date when the respondent resigned his services, that is, 20.03.2018. Subject to making the aforesaid payment, the execution of the impugned order was stayed till the next date of hearing. The said interim order has been continued from time to time.

4. The learned counsel appearing for the petitioner states that there has been a material change in the circumstances as the petitioner resigned from his services with the Axis Bank on 02.05.2019. He has since joined a Start Up and in view of the current outbreak of COVID-19 and the lockdown imposed by the Government, he has been unable to draw the remuneration that he was previously drawing. It is therefore prayed by the petitioner that the interim order to pay ₹1,00,000/- per month be modified to pay ₹50,000/- per month.

5. Mr Jatan Singh, learned counsel appearing for the respondent states that the appropriate course for the petitioner would be to apply to the learned Magistrate for modification of the interim maintenance awarded to the respondent.

6. It is seen that the present petition is listed for final hearing on 22.06.2020. Considering the same, this Court does not consider it apposite to pass any order modifying the order dated 18.01.2019. However, since it contended that there has been change in the circumstances affecting the petitioner's income, liberty is granted to the petitioner to approach the learned Magistrate for seeking modification of the order of maintainance.

7. List for hearing on 22.06.2020.

8. It is clarified that in the event the learned Magistrate reduces the amount of compensation, the order dated 18.01.2019 passed by this Court shall not come in the way of the petitioner paying the reduced maintenance amount.

JUNE 10, 2020
pkv

VIBHU BAKHRU, J