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

+ **CRL.M.C. 2165/2023, CRL.M.A. 8170/2023**

PARAKH SADH

..... Petitioner

Through: Mr. Satyendra Kumar, Ms.
Vasundhara Rana, Advs.

versus

SONALI SADH

..... Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

24.04.2023

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As per the service report, the respondent is unserved.

Mr. Satyender Kumar, learned counsel for the petitioner states that the respondent was present in Court today and the petitioner saw her. The petitioner will file an affidavit to this effect.

The Family Court upheld the order of the learned MM assuming the income of the appellant to be Rs. 30,000/- to Rs. 80,000/- per month and thereafter awarding interim maintenance at the rate of Rs. 20,000/- per month to the respondent.

Admittedly, as per the ITR of the AY-2020/2021, the annual income of the appellant was Rs. 2,35,340/- and AY-2021/2022, the annual income of the appellant was Rs. 1,76,640/- and in the year 2022/2023, the annual income of the appellant was Rs. 1,39,030/-. There is no other document before the learned MM or the Appellate Court which shows the income of



Rs. 30,000/- to Rs. 80,000/- being earned by the appellant. I am also unable to see regular deposits of Rs. 50,000/- in the accounts of the petitioner as observed in the interim order of the learned MM.

For the aforesaid reasons, subject to the payment of Rs. 50,000/- by the appellant to the respondent within 4 weeks from today, the execution filed pursuant to the order dated 23.08.2022 and 03.01.2023 passed by the learned MM and by the Sessions Court shall remain stayed till the next date of hearing only.

List on 07.07.2023.

JASMEET SINGH, J

APRIL 24, 2023/dm

[Click here to check corrigendum, if any](#)