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

+ **CRL.REV.P. 473/2023**

POOJA

..... Petitioner

Through: Mr. Harish Chandra, Advocate along
with the petitioner.

versus

THE STATE (GOVT. OF NCT OF DELHI) & ANR.

..... Respondent

Through: Ms. Richa Dhawan, APP for the State

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

28.04.2023

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1. This petition has been filed for modification of the impugned order dated 10th February, 2023 passed by Ld. Principal District & Sessions Judge, Family Court, Patiala House Courts in MT No. 266/2018 under Section 125 of Cr.P.C titled as ***Pooja v. Himanshu Prasad***.

2. It is contended by learned counsel for the petitioner that she is the wife of the respondent No.2 and had filed this petition for maintenance which was decided by impugned order. Even though, she has sought Rs. 30,000/- per month as maintenance, learned Family Court assessed the monthly income of respondent No. 2 at Rs. 18000/- per month on the basis of minimum wages and granted Rs. 4,500/- per month only to the petitioner.

3. It is stated that the respondent No.2 is employed as Manager in Jiva Ayurveda Company at Gurugram and earning around 40,000/- per month and has three DDA flats, One Patanjali Showroom and the family has income of about Rs. 1.5 Lacs per month.



4. These aspects have been ignored by the learned Family Court, as per the petitioner.
5. Issue notice to the respondent No.2 on steps being taken by the petitioner through all permissible modes including PF/RC, courier, SMS, Whatsapp, email etc.
6. It is clarified that since the petitioner is seeking for enhancement of maintenance, the respondent No.2 shall continue to comply with the directions passed in the impugned order and there is no stay of any nature whatsoever granted by this Court in the meantime.
7. List on 22nd September, 2023.
8. Order be uploaded on the website of this Court.

ANISH DAYAL, J

APRIL 28, 2023/RK

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