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

+ **CRL.REV.P.(MAT.) 318/2026**

PRAVEEN JOSHI

.....Petitioner

Through: Mr. Vikas Sharma and Mr. Yogesh
Sharma, Advocates.

versus

KHUSHBOO KUNDALIYA

.....Respondent

Through: Mr. Sandip Gupta, Advocate
(through videoconferencing).

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

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01.07.2026

CRL.M.A. 18481/2026 & CRL.M.A. 18482/2026 (exemption)

1. Allowed, subject to all just exceptions.

CRL.M.A. 18483/2026 (for condonation of delay of 06 days in re-filing)

2. For the reasons mentioned therein, the application is allowed and the delay in re-filing is condoned.

CRL.REV.P.(MAT.) 318/2026 & CRL.M.A. 18480/2026 (stay)

3. The revisionist/husband has assailed order dated 27.01.2026 of the appellate court, whereby the order fixing interim maintenance was affirmed.

4. Learned counsel for respondent/wife accepts notice and seeks and is allowed four weeks to file reply to the stay application.

5. The digitized record of the trial court be requisitioned.

6. I have heard both sides partly on the stay of the impugned order. In this regard, learned counsel for revisionist/husband places reliance on salary slip of the revisionist/husband and contends that his salary is Rs. 51,982/-



per month. But as per the said salary slip (*pdf 310*), the total credits and the total debits were Rs. 82,356/-. On this aspect, learned counsel for revisionist/husband seeks time to obtain clarification from the revisionist/husband. Further, the deductions/debits shown in the salary slip have to be explained as to whether the same are involuntary deductions or otherwise.

7. It is further submitted by learned counsel for revisionist/husband that his parents are also dependent upon him, which factor has been ignored by the trial court and the appellate court. On this aspect, learned counsel for respondent/wife submits that parents of the revisionist/husband are living with their other son.

8. Since the exact salary status is not clear and for that purpose, learned counsel for revisionist/husband needs to discuss with his client, for present purposes, the monthly earnings of the revisionist/husband are taken to be Rs. 65,000/- as alleged by learned counsel for respondent/wife. That being so, applying the family resource cake formula, the impugned maintenance at the rate of Rs. 20,000/- per month *prima facie* does not appear to be unjustified.

9. Learned counsel for revisionist/husband seeks adjournment to obtain instructions if the revisionist/husband is willing to deposit the outstanding maintenance amount with the Registry of this Court so that operation of the impugned order be stayed.

10. Relist on 05.11.2026 in Advance List.

GIRISH KATHPALIA, J

JULY 1, 2026/rs