

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<p>CRLR No.423 of 2026 <u>Hon'ble Alok Mahra, J.</u></p> <p>Mr. Gulshan Pandey, Advocate for the revisionist.</p> <p>2. This Criminal Revision has been preferred by the revisionist challenging the judgment and order dated 07.05.2026 passed by the learned Additional Principal Judge, Family Court, Haldwani, District Nainital in Misc. Criminal Case No. 75 of 2025, whereby the application filed by the respondents under Section 144 of the B.N.S.S. was allowed and the revisionist was directed to pay interim maintenance of ₹10,000/- per month to respondent no.1 (wife) and ₹20,000/- per month to respondent no.2 (minor son), totaling ₹30,000/- per month, payable on or before the 10th day of each month.</p> <p>3. Learned counsel for the revisionist submits that the assessment of income made by learned Family Court is contrary to the settled principles governing the grant of interim maintenance and is founded upon conjectures, surmises and presumptions. It is submitted that the revisionist is a retired personnel of the Indian Army and is receiving a monthly pension of ₹44,003/-. However, while determining the quantum of maintenance, the learned Family Court has taken into consideration the retiral benefits received by the revisionist and has treated the same as a source of recurring income. It is further submitted that the actual financial capacity and earning status of the revisionist have not</p>

been properly appreciated. According to the learned counsel, the direction to pay maintenance of ₹30,000/- per month out of a monthly pension of ₹44,003/- is excessive, onerous and disproportionate.

4. Issue notice to the respondents, returnable at an early date.

5. List after service report is received.

6. Having considered the submissions advanced by learned counsel for the revisionist and upon perusal of the material brought on record, it is directed that, till the next date of listing, the effect and operation of the impugned judgment and order dated 07.05.2026 shall remain stayed, subject to the condition that the revisionist shall regularly pay a sum of ₹8,000/- per month to respondent no.1 and a sum of ₹12,000/- per month to respondent no.2, aggregating to ₹20,000/- per month, towards interim maintenance on or before the 10th day of each succeeding month during the pendency of the present revision. It is made clear that in the event of any default in payment of the aforesaid amount, the interim protection granted by this Court shall stand automatically vacated without any further reference to this Court.

7. Interim relief application (I.A. No.1 of 2026) stands disposed of.

(Alok Mahra, J.)

12.06.2026

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