



\$~5

\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
% *Date of Decision: 07.01.2026*  
+ **CRL.REV.P. 764/2024, CRL.M.A. 17878/2024 &**  
**CRL.M.A. 227/2025**

DHRUV CHAWLA .....Petitioner

Through: Ms. Meenakshi Kalra, Mr. Mayank Dhiyania, Ms. Anjali Chaudhary, Ms Sakshi Gupta, Mr. Kamal, Advocates

versus

EKTA CHAWLA .....Respondent

Through: Mr. Ajit Sharma, Mr. Mayank Aggarwal, Mr. Pradeep Kumar Aggarwal and Mr. Lokesh Raj, Advocates

**CORAM:**

**HON'BLE DR. JUSTICE SWARANA KANTA SHARMA**

**JUDGMENT**

**DR. SWARANA KANTA SHARMA, J. (Oral)**

1. By way of the present petition, the petitioner-husband has challenged the impugned orders dated 21.03.2024 and 23.03.2024 passed by the learned Principal Judge, Family Court (North-West), Rohini Courts, Delhi [hereafter 'Family Court'] whereby the application seeking interim maintenance filed by the respondent-wife was allowed.

2. The broad factual matrix of the case is not in dispute between



the parties. At the outset, however, the learned counsel appearing for the petitioner-husband draws the attention of this Court to the impugned order dated 23.03.2024 and submits that the learned Family Court had expressly stipulated that the grant of interim maintenance was operative only for a period of one year. It is contended that upon expiry of the said period, when the petitioner moved an appropriate application before the learned Family Court, the Court was required either to reconsider the issue of interim maintenance, or to pass a fresh or reasoned order extending or modifying the earlier directions after hearing the parties.

3. *Per contra*, the learned counsel appearing for the respondent-wife does not dispute that the interim maintenance was granted for a limited period of one year. However, he submits that there are other substantive issues on merits which would require adjudication by the Court.

4. This Court has **heard** the learned counsel appearing for both sides and has carefully perused the material placed on record.

5. The relevant portion of the impugned order dated 23.03.2024 is set out below:

“ In regard to the petitioner, she is well qualified having professional qualification but has stated that she was suffering from certain diseases therefore, she was unable to work. There is however nothing on record to show that she was incapable of working or earning. However, at this stage, since she has claimed that she was not working and parties would get opportunity to substantiate their pleas as such petitioner can be taken to be not earning and can be granted maintenance for a reasonable period of one year from today to enable her in the



meanwhile to sincerely try for a job.

In regard to respondent's income on 12.04.2022 statement of respondent u/scc.165 of Evidence Act has been recorded, wherein respondent had mentioned that he was earning Rs.50,000/- to Rs.60,000/- per month and his younger brother was a Software Engineer and his mother was living with him in his own house. During the stay with the respondent, petitioner had not worked anywhere and all her expenses were borne by him. They had gone to honeymoon to Europe and visited three countries i.e. Switzerland, France and Netherlander and spent Rs.5 lacs on the said trip. As per bank statement filed on record his turnover is shown as Rs.2.4 crores and income tax returns filed prior to his marriage are of Rs.4-5 lacs per PA. Presently, he has claimed his income to be about Rs.4 lacs. Thus considering his previous ITR, his status where he was living in a big house and involved in his own ancestor business, the expenditure shown to be not less than Rs.48,000/- (i.e. Rs.30,000/- expenses and Rs. 18,000/- as dependency of his mother his income can atleast be presumed to be Rs.60,000/- per month).

For the purpose of calculation giving two units to the petitioner and two unit to the respondent and one extra unit to the respondent as he is maintaining separate household. Petitioner is held entitled to interim maintenance @ Rs.24,000/- per month from the date of filing of the petition till one year from today or disposal of the main petition whichever is earlier. The application is disposed off.”

6. A perusal of the above order makes it clear that the learned Family Court consciously limited the grant of interim maintenance to a period of one year, with the expectation that during this period, the respondent-wife would make sincere efforts to secure employment. The operative portion of the order unequivocally records that the interim maintenance was payable “till one year from today or disposal of the main petition whichever is earlier”.

7. In the considered opinion of this Court, once such a time-



bound order was passed, the learned Family Court was required, upon expiry of the stipulated period, to examine the matter afresh – either by re-hearing the parties or by passing a reasoned order extending, modifying, or declining to continue the interim arrangement, as the circumstances may have warranted. Thus, the interim order could not have continued beyond the period for which it was expressly made operative.

8. The learned counsel appearing for the petitioner has further pointed out that an appropriate application seeking consideration of this issue was filed before the learned Family Court, but the same has not yet been adjudicated upon. It is also submitted that the proceedings before the learned Family Court have not reached conclusion, allegedly due to non-appearance of the respondent. This submission is, however, disputed by the learned counsel for the respondent, who appears through video-conferencing.

9. In these circumstances, this Court deems it appropriate to direct the learned Family Court to decide the application filed by the petitioner, including the application under Section 91 of the Cr.P.C., as well as the question whether the interim maintenance order dated 23.03.2024 deserves to be extended, modified, or otherwise dealt with. The learned Family Court shall pass a reasoned order after affording due opportunity of hearing to both parties.

10. This Court also notes that the interim maintenance order was passed in March, 2024, nearly two years ago. In view thereof, the



learned Family Court is directed to take a fresh decision on the issue of interim maintenance, in light of the observations made hereinabove, within a period of fifteen days from the date of receipt of a copy of this order.

11. The matter is accordingly remanded back to the learned Family Court. Considering that the issue of interim maintenance itself has remained pending for a considerable period, the learned Family Court shall endeavour to conclude the trial expeditiously and shall not grant any unnecessary or unjustified adjournments to either party.

12. It is clarified that this petition has not been decided on merits, and all rights, contentions, and grounds available to the parties are kept open for adjudication before the learned Family Court.

13. With the above directions, the petition stands disposed of. Pending applications, if any, also stand disposed of.

14. Copy of this order be forwarded to the concerned Family Court for information and compliance.

15. The judgment be uploaded on the website forthwith.

**DR. SWARANA KANTA SHARMA, J**  
**JANUARY 07, 2026/zp/A/TD**