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

Date of decision: 29.08.2025

\+ MAT.APP.(F.C.) 186/2019, CM APPL. 33870/2024, CM APPL. 56493/2024 & CM APPL. 56802/2024

SAPNA GIYA .....Appellant

Through: Ms. Payal Chawla, Adv. with Appellant in person

versus

DEEPAK GIYA .....Respondent

Through: Mr. Sanjeev Sahay, Adv.

CORAM:
HON'BLE MR. JUSTICE ANIL KSHETARPAL
HON'BLE MR. JUSTICE HARISH VAIDYANATHAN SHANKAR

% JUDGEMENT (ORAL)

ANIL KSHETARPAL, J.

1. Through the present Appeal, the Appellant (Respondent's wife) prays for setting aside the Order dated 10.04.2019, passed by the learned Additional Principal Judge, West District, Family Courts, Tis Hazari, Delhi, while declining to grant her maintenance *pendente lite*, but granted Rs. 25,000/- per month for the minor child, who was of 09 years (approx.) of age on the date of the said order.

2. The parties were married in the year 2009. Prior to marriage, the Appellant worked for merely three and a half years. Further, she migrated to Singapore, where she worked for some time. However, she did not work after giving birth to the daughter in the year 2011.

to prove that the Appellant refused to work despite opportunity or she resigned from the job though she was getting a good salary. In absence thereof, the Appellant should not have been denied the maintenance. Likewise, the submission that the Appellant filed application only after the Respondent filed Petition seeking divorce, cannot be a valid ground to deny maintenance, particularly in view of the fact that application under Section 24 of the HMA, is maintainable during the pendency of the Petition.

8. Keeping in view the fact that the Respondent at that point of time was earning Rs. 10 lakhs per month (approx.), this Court deems it appropriate to direct the Respondent to pay maintenance *pendente lite* @ Rs. 2 lakhs per month for both the Appellant and the child. The maintenance amount shall be payable from the date of application.

9. The present Appeal, along with pending applications, is disposed of in the above terms.

ANIL KSHETARPAL, J.

HARISH VAIDYANATHAN SHANKAR, J.

AUGUST 29, 2025/sp/sh