

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 1177 OF 2008
[Arising out of SLP(Crl) No.7038 of 2007]

USHA DEVI

.....APPELLANT(S)

Versus

MALHA RAM

.....RESPONDENT(S)

ORDER

Leave granted.

2. This is wife's petition challenging the order of the High Court reducing the maintenance from Rs.2500/- to Rs.1500/-. The appellant urges two contentions. First is that the order of the High Court gives a wrong impression that what is fixed is as an interim measure as it says that “maintenance is reduced to Rs.1500/- per month during the pendency of appeal” when there is no appeal pending. Second is that the High Court has not given any reason for reducing the maintenance from Rs.2500/- to Rs.1500/- per month.

3. We find considerable force in both submissions. However, after the matter was argued for some time, learned counsel for the appellant and respondent submitted that having regard to the facts and circumstances, a sum of Rs.2000/- per month will be a reasonable amount by way of maintenance.

.....2.

4. In view of the above, we allow this appeal in part and modify the maintenance payable by respondent to appellant as Rs.2000/- per month from the date of the order of the High Court.

.....J.
(R.V. RAVEENDRAN)

New Delhi;
July 28, 2008.

.....J.
(LOKESHWAR SINGH PANTA)