

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

SPECIAL LEAVE PETITION (CRIMINAL) Diary No(s). 5158/2024

(Arising out of impugned judgment and order dated 16-10-2023 in CRR No. 4090/2023 passed by the High Court of Judicature at Allahabad)

RUBINA KHAN

Petitioner(s)

VERSUS

STATE OF U.P. & ANR.

Respondent(s)

(IA No.30709/2024-CONDONATION OF DELAY IN FILING and IA No.30707/2024-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.30708/2024-EXEMPTION FROM FILING O.T.)

Date : 12-02-2024 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE HRISHIKESH ROY
HON'BLE MR. JUSTICE PRASHANT KUMAR MISHRA

For Petitioner(s) Mr. Yusuf, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following

O R D E R

Delay condoned.

Heard Mr. Yusuf, learned counsel appearing for the petitioner.

The counsel submits that the Family Court had granted maintenance of Rs.10,000/- per month to the wife w.e.f. 05.01.2018 but the same was unjustly reduced to Rs.6,000/- per month by the High Court under the impugned order dated 16.10.2023. It is then submitted that the respondent No. 2 (husband) is a lawyer who can easily afford to pay Rs.10,000/- per month maintenance. He has not filed any material to show his financial condition. Moreover the accumulated arrear(s) of Rs.8 lakhs, has not been disbursed to the petitioner.

Issue notice, returnable in four weeks.

Dasti notice to the Standing Counsel for the State and also to the respondent No. 2, is permitted, additionally.

(NITIN TALREJA)
ASTT. REGISTRAR-cum-PS

(BEENA JOLLY)
COURT MASTER (NSH)