

IN THE HIGH COURT OF DELHI AT NEW DELHI
CM(M) 1153/2008

KAVITA PRASAD Petitioner

Through: Mr. S.D. Singh, Adv.

versus

RAM ASHRAY PRASAD Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE SHIV NARAYAN DHINGRA

O R D E R

01.10.2008

The petitioner who is an MBBS qualified Doctor and admittedly had been in practice before, claims that she was sitting at home despite being a qualified Doctor and does not work. The petitioner claimed maintenance against her husband who is in service. The Trial Court granted maintenance of Rs.4,000/- per month. This petition is made against observation of the Trial Court that she was working somewhere and earning around Rs.8,000 to 10,000/- PM and that the maintenance granted by the Trial Court was made subject to adjustment of the maintenance being received by her under Section 125. Since counsel for the petitioner states that petitioner is not working anywhere, despite being a qualified Doctor, I consider that as she is receiving maintenance from husband, the Court should not allow her experience and qualification to go waste. I consider that she should be directed to work as a honorary Doctor in some public welfare institute or school free of charges where she can take care of health of the poor people. Let her come to Court and give an undertaking that she was prepared to work without charging anything in any institution named by this Court around her house minimum 5 hours a day and 6 days a week, so long she receives maintenance from her husband on the plea of being unemployed.

List on 23rd October, 2008.

SHIV NARAYAN DHINGRA,J

OCTOBER 01, 2008