

Kamal Kumar vs.twinkle Chauhan

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SooperKanoon Citation : sooperkanoon.com/1208752

Court : Delhi

Decided On : Sep-08-2017

Appellant : Kamal Kumar

Respondent : Twinkle Chauhan

Advocate for Def. : Mr. Abhinav Bajaj

Advocate for Pet/Ap. : Mr. Praveen Kumar Singh, Mr. Dharam Pal

Judgement :

\$~4. * IN THE HIGH COURT OF DELHI AT NEW DELHI + MAT.APP.(F.C.) 91/2017 and CM APPL. 19735/2017 (stay) 1. KAMAL KUMAR Appellant Through: Mr. Praveen Kumar Singh, Advocate with Mr. Dharam Pal, father of the appellant in person. versus TWINKLE CHAUHAN Respondent Through: Mr. Abhinav Bajaj, Advocate with respondent in person. CORAM: HON'BLE MS. JUSTICE HIMA KOHLI HON'BLE MS. JUSTICE DEEPA SHARMA % Counsel for the appellant states that he has made compliances of the

ORDER

0809.2017 order dated 23.05.2017 and has also filed an affidavit as directed. A copy of the said affidavit be furnished to the counsel for the respondent in the course of the day.

2. Counsel for the respondent states on instructions that the arrears have been received by his client, except for the maintenance for the month of September,

2017. A cheque towards the maintenance for September, 2017 has been handed over to the respondent through counsel and duly accepted.

3. The present appeal is directed against an interim order dated 11.04.2017, passed by the learned Family Court, granting pendente lite maintenance to the respondent on an application filed by her under Section Page 1 of 2 MAT.APP.(F.C.) 91/2017 24 of the Hindu Marriage Act. Learned counsel for the appellant states that as the application is still pending final decision, the appellant seeks leave to withdraw the present appeal while reserving his right to take all the pleas as may be available to him, both in law and on facts, before the learned Family Court, at the time of addressing final arguments. He however requests that the learned Family Court be directed to dispose of the said application expeditiously.

2. We are informed by the counsels for the parties that the next date fixed before the learned Family Court is 30.10.2017, on which date, the case is listed for recording the appellants evidence. The learned Family Court is requested to fix a date for hearing arguments on the pending Section 24 application filed by the respondent. Both the parties shall ensure that they do not seek any adjournment on the date fixed in that regard. Till the said application is decided, the appellant shall continue complying with impugned order passed by the learned Family Court.

3. The appeal is disposed of alongwith the pending application. HIMA KOHLI, J DEEPA SHARMA, J SEPTEMBER08 2017 rkb Page 2 of 2 MAT.APP.(F.C.) 91/2017