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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **MAT.APP.(F.C.) 295/2023**
RAHUL CHOUDHARY

.....Appellant

Through: Mr. Sanjay Dewan, Sr. Adv. with
Mr. Anish Dewan, Ms. Garima Verma,
Mr. Aayush Dewan and Ms. Koshish Jain, Advs.

versus

SHALU

.....Respondent

Through: Ms Preeti Yadav, Adv. with
respondent in person.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MS. JUSTICE RENU BHATNAGAR

ORDER

24.02.2025

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1. The present appeal under Section 19 of the Family Court Act seeks to assail the order dated 10.08.2023 passed by the learned Family Court, South-East District, Saket District Court, New Delhi in HMA No. 997/2021. Vide the impugned order, the learned Family Court has allowed the application under Section 24 of the Hindu Marriage Act, 1954 filed by the respondent/wife by directing the appellant/husband to pay a monthly sum of Rs.75,000/- to the respondent towards maintenance for herself and the minor daughter of the parties who is presently living with the respondent.
2. From the record, we find that this Court, while issuing notice in the appeal, had, by way of an interim arrangement, directed that the



operation of the impugned order would remain stayed subject to the appellant paying a monthly sum of Rs.40,000/- to the respondent, which amount was later enhanced to Rs.50,000/- vide order dated 31.07.2024.

3. Learned counsel for the respondent submits that the appellant has been in arrears of maintenance, making it very difficult for the respondent to take care of the needs of the minor child. She, therefore, prays that the interim order dated 31.07.2024 be vacated.
4. Learned senior counsel for the appellant does not dispute that the appellant is in arrears of maintenance. He, however, prays for time to enable the appellant to clear the outstanding arrears.
5. Having perused the order dated 31.07.2024, vide which the appellant was directed to pay a monthly sum of Rs.50,000/- to the respondent, we are of the view that in the light of this admitted default of the appellant in paying monthly maintenance to the respondent, the interim order staying the impugned judgment deserves to be vacated, however, since learned senior counsel for the appellant assures the Court that the appellant will shortly clear the outstanding amount towards arrears, we defer passing any adverse orders today.
6. List on 27.02.2025.

REKHA PALLI, J

RENU BHATNAGAR, J

FEBRUARY 24, 2025

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