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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

CNR No. DLHC010479182025

+ **CONT.CAS(C) 1084/2025 & CM APPL. 55063/2026**

MS. SUNITA BALI

.....Petitioner

Through: Mr. Mohit Paul, Advocate
(DHCLSC) with Ms. Rangoli Seth
and Mr. Rohit, Advocates
Mob: 9810841571
Email: mohitpaul24@gmail.com

versus

MR ASHOK KUMAR ARORA

.....Respondent

Through: Mr. Jatin Kumar Gaur, Advocate
along with respondent in person
Mob: 7836871655
Email: jkgaur1994@gmail.com

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

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18.08.2026

1. Learned counsel appearing for the petitioner draws the attention of this Court to the Paragraph nos. 19 and 20 of the petition filed by the parties for dissolution of marriage by decree of Divorce by mutual consent, under Section 13B(2) of the Hindu Marriage Act, 1955 ("HM Act") stipulating the settlement arrived at between the parties, which read as under:

"xxx xxx xxx

19. That the Petitioners have further agreed that the legal/succession rights of the minor child will not be affected in any way in their moveable or immovable assets or the properties or of any other person as per the law. Her rights including maintenance i.e. Medical expenses.



educational expenses or any other expenses cannot be given up or decided by her father and mother who are the present Petitioners in the present petition. As per the Judgment titled as **“Ganesh vs Sudhirkumar Shrivastava”** which was decided on 22 April, 2019 decided by **Hon’ble Mr. Justice U.U. Lalit and Hon’ble Ms. Justice Indu Malhotra, Division bench of the Hon’ble Supreme Court of India.**

“It was certainly open to the wife to give up any claim so far as maintenance or permanent alimony or stridhan but she could not have given up the rights which vest in the daughter insofar as maintenance and other issues are concerned.”

20. That Petitioner No. 2 will bear all the basic expenses i.e. Education, Medical of his daughter namely Mansavi aged 8 years.
xxx xxx xxx”

2. The aforesaid petition was allowed by the Principal Judge, Family Courts, Room no. 08, Ground Floor, North District, Rohini Courts, Delhi in *HMA 605/2025*, whereby, marriage between the parties herein was dissolved by decree of divorce by mutual consent under Section 13(B)(2) of the HM Act, with effect from the date of the order, i.e., 28th April, 2025.
3. Learned counsel appearing for the petitioner submits that the expenses towards education and other medical needs of the daughter are not being given by the respondent. Additionally, further, amounts are also due and payable.
4. In response, learned counsel appearing for the respondent submits that



the respondent has already paid a sum of Rs. 20 lacs to the petitioner.

5. He submits that a further amount of Rs. 9 lacs is payable to the petitioner, out of which Rs. 5 lacs is to be paid towards the maintenance of the child and Rs. 4 lacs to the mother of the child.

6. Learned counsel appearing for the respondent, on instructions from the respondent, who is present in person before this Court submits that he is ready to pay a sum of Rs. 9 lacs to the petitioner by way of Demand Drafts.

7. Accordingly, two Demand Drafts, totalling to Rs. 9 lacs, one amounting to Rs. 5 lacs and the other amounting to Rs. 4 lacs, drawn in favour of the petitioner, shall be brought before this Court, on the next date of hearing.

8. At this stage, learned counsel appearing for the respondent submits that he has instructions to not press for the prayer sought by him in *CM APPL. 55063/2026*.

9. Accordingly, the said application is dismissed as withdrawn.

10. List the petition on 25th August, 2026, in the Top Ten Matters in the *Advance List*.

MINI PUSHKARNA, J

AUGUST 18, 2026

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