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

+ **MAT.APP.(F.C.) 302/2024, CM APPL. 52808-52810/2024**

BIRENDRA AHALWATAppellant

Through: Ms. Preeti Singh, Ms. Sunklan
Porwal, Ms. Shefali Menezes and Ms.
Chitra Chanda, Advs.

versus

PALLAVI AHLAWATRespondent

Through: Ms. Shristi Sinha, Adv.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

% **04.10.2024**

CM APPL. 52808/2024 –Ex. & CM APPL. 52809/2024 –Ex. -LLOD.

1. Exemption allowed as sought, subject to all just exceptions.
2. The applications stand disposed of.

MAT.APP.(F.C.) 302/2024 & CM APPL. 52810/2024 –Stay.

3. By way of the present appeal under Section 19 of the Family Courts Act, 1984, the estranged husband has approached this Court assailing the order dated 27.08.2024 passed by the learned Family Court, Saket, South District, New Delhi.
4. Vide the impugned order, the appellant's application under Order VII Rule 10, CPC alongwith his application for modification of the order dated 14.03.2024, whereby he was directed to pay school fees of the two minor children who are in custody of the respondent-wife has been rejected.
5. At the very outset, learned counsel for the appellant submits that



although she is assailing the rejection of the appellant's application under Order VII Rule 10, CPC, in view of the reduction in the appellant's income, the order dated 14.03.2024 directing the appellant to pay the school fees of the two minor daughters deserves to be modified which prayer the learned Trial Court has erroneously rejected.

6. Issue notice.

7. Ms. Srishti Sinha, learned counsel accepts notice on behalf of the respondent. She prays for and is granted six weeks' time to file reply to the stay application. Rejoinder thereto, if any, be filed within a period of four weeks thereafter.

8. List on 28.01.2025.

REKHA PALLI, J

SAURABH BANERJEE, J

OCTOBER 4, 2024//rr