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

+ **MAT.APP.(F.C.) 29/2025**

DEEPAK KUMAR

.....Appellant

Through: Mr.Sudhir Tewatia, Mr.Mehul Gulati,
Mr.Vishal & Mr.Lokesh, Advs.

versus

MANITA RANI

.....Respondent

Through:

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

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23.01.2025

CM APPL. 4169/2025

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

CM APPL. 4170/2025 (delay of 7 days in re-filing)

3. This is an application filed by the appellant seeking condonation of 7 days' delay in re-filing the appeal.
4. The application is, for the reasons stated therein, allowed and the delay of 7 days' in re-filing the appeal stands condoned.
5. The application, accordingly, stands disposed of.

MAT.APP.(F.C.) 29/2025

6. The present appeal under Section 19 of the Family Courts Act, 1984 seeks to assail order dated 13.11.2024 passed by the learned Family Court, South West, Dwarka Courts, New Delhi, in HMA No.300/2017. Vide the impugned order, the learned Family Court has



allowed the application under Section 24 of the Hindu Marriage Act, 1955, preferred by the respondent/ wife by directing the appellant/ husband to pay a sum of Rs.14,000/- as monthly maintenance for the minor child, who is in the custody of the respondent.

7. Learned counsel for the appellant submits that while directing the appellant to pay Rs.14,000/- per month towards maintenance of his son, the learned Family Court has lost sight of the fact, that even, as per the respondent's own claim she was incurring a sum of Rs.22,000/- per month towards the maintenance of the minor child. In these circumstances, even if the appellant was required to contribute towards this amount by paying 50% of the expenses incurred by the respondent for the child, the appellant could not have been directed to pay more than Rs.11,000/- as the responsibility of bringing up the child was required to be shared equally by both parties.
8. Upon the appellant taking steps, issue notice to the respondent through all permissible modes.
9. List on 09.04.2025.

REKHA PALLI, J

SAURABH BANERJEE, J

JANUARY 23, 2025

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