



HIGH COURT OF UTTARAKHAND AT NAINITAL

Appeal From Order No. 219 of 2026

02 July, 2026

Ankita Srivastav

--Petitioner

Versus

Ankur Bhardwaj

--Respondent

Presence:-

Mr. Ketan Joshi, learned counsel holding brief of Mr. Rajat Mittal,
learned counsel for the appellant.

Coram :Hon'ble Manoj Kumar Tiwari, J.
Hon'ble Pankaj Purohit, J.

Hon'ble Pankaj Purohit, J. (Oral)

This Appeal from Order has been preferred by the appellant-wife challenging the order dated 08.05.2026 passed by the learned Principal Judge, Family Court, whereby the application filed by the respondent-husband under Section 24 of the Hindu Marriage Act, 1955 was partly allowed. By the impugned order, learned Family Court directed the appellant(wife) to pay a sum of Rs.20,000/- to the respondent (husband) towards litigation expenses, while rejecting his prayer for grant of interim maintenance.

2. Learned counsel appearing for the appellant contended that, after the enforcement of the Uniform Civil Code, Uttarakhand, 2024, an application under Section 24 of the Hindu Marriage Act, 1955 was not maintainable. It is further submitted that respondent is an able-bodied person and is earning his livelihood by



doing labour work. Therefore, he is not entitled to any amount towards litigation expenses. It is also argued that learned Family Court failed to appreciate the material available on record and passed the impugned order without proper application of mind.

3. Heard learned counsel for the parties and upon perusal of the record, this Court finds that the learned Family Court has duly considered the financial status of both the parties before passing the impugned order. The respondent disclosed that he earns approximately Rs.5,000/- to Rs.10,000/- per month through daily wage labour. On the other hand, appellant is serving as Chief Manager in the State Bank of India. The material brought on record clearly demonstrates that the appellant is financially far better placed than the respondent.

4. Learned Family Court has specifically recorded a finding that the respondent has an independent source of livelihood, though limited, and, therefore, declined his claim for interim maintenance. However, considering the respondent's limited financial means and the comparatively sound financial position of the appellant, learned Family Court awarded a one-time sum of Rs.20,000/- towards litigation expenses. The discretion exercised by learned Family Court is founded on the material available on record and cannot be said to be arbitrary, perverse, or suffering from any legal infirmity.

5. The submission advanced on behalf of the appellant regarding maintainability of the application under Section 24 of the Hindu Marriage Act also deserves to be rejected. The matrimonial proceedings have already been instituted under the provisions of the Hindu



2026:UHC:5269-DB

Marriage Act, and the application seeking litigation expenses was merely ancillary to those proceedings. Moreover, impugned order does not grant any interim maintenance but only awards litigation expenses. Therefore, no legal infirmity is found in the exercise of jurisdiction by the learned Family Court.

6. Consequently, we do not find any illegality, perversity, or jurisdictional error in the impugned order passed by the learned Principal Judge, Family Court, directing the appellant to pay a sum of Rs.20,000/- towards litigation expenses. The appeal, being devoid of merit, is accordingly dismissed *in-limine*.

7. Pending application, if any, stands disposed of accordingly.

(Pankaj Purohit, J.) (Manoj Kumar Tiwari, J.)
02.07.2026

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