



Judgment reserved on:-09.07.2026

Judgment delivered on:-16.07.2026

HIGH COURT OF UTTARAKHAND AT NAINITAL**Appeal From Order No.317 of 2025**

Mr. Rajesh Negi

--Appellant

Versus

Smt. Mridul Negi

--Respondent

Presence:-

Mr. Rajesh Negi, appellant in-person.

Ms. Gurbani Singh, learned counsel for the respondent.
-----**Coram :Hon'ble Manoj Kumar Tiwari, J.****Hon'ble Pankaj Purohit, J.****Hon'ble Pankaj Purohit, J. (Oral)**

By means of present appeal from order, appellant has sought the following reliefs:-

“(1.) Set aside the orders dated 05.08.2025 with regard to the award of litigation expenses, in light of the continuous financial assistance being extended by the appellant, which clearly establishes that the respondents is not lacking sufficient means to maintain herself and to conduct the proceedings.

(2) Hold and declare that the suppression of material facts by the Respondent, including non-disclosure of Fixed Deposits and concealment despite continuous monthly payments made by the appellant, amounts to a violation of the mandatory disclosure obligations laid down by the Hon'ble Supreme Court in Rajnesh vs. Neha.

(3) Hold and declare that the concealed financial resources, including the interest income from the said FDRs and the regular monetary withdrawals, be duly taken into account while assessing the respondent entitlement, if any, under Section 24 HMA.”

2. Facts of the case are that a divorce-petition Case No.380 of 2024, Smt. Mridul Negi vs. Rajesh Negi, between the parties is pending before the learned Principal Judge, Family Court, Dehradun. During the



pendency of the said proceedings, respondent-wife filed an application under Section 24 of the Hindu Marriage Act, 1955 seeking litigation expenses. The learned Family Court, vide order dated 12.03.2025, partly allowed the application and awarded litigation expenses of Rs.20,000/- in favour of the respondent. Aggrieved by the said order, appellant filed two review petitions under Section 114 read with Order XLVII Rule 1 of the Code of Civil Procedure, registered as Review Petition Nos. 35C2 and 37C2. Review Petition No.35C2 sought review of the order dated 12.03.2025 on the ground of alleged suppression of material facts in the affidavit filed by the respondent in terms of the directions issued by the Hon'ble Supreme Court in **Rajnish v. Neha 2020 SCC Online SC 903**, while Review Petition No.37C2 questioned the award of litigation expenses under Section 24 of the Hindu Marriage Act. During the pendency of the review proceedings, certain additional documents, including information obtained under the Right to Information Act, 2005 were brought on record by the appellant. Both the review petitions came to be dismissed by the learned Principal Judge, Family Court, Dehradun, by a common order dated 05.08.2025. Aggrieved thereby, appellant has preferred the present appeal under Section 19 of the Family Courts Act, 1984 read with Section 28 of the Hindu Marriage Act, 1955.

3. Appellant-in-person submitted that the impugned order dated 05.08.2025 passed by the learned Principal Judge, Family Court, Dehradun dismissing the review petitions is wholly illegal, arbitrary and suffers from an error apparent on the face of the record. It is contended that the learned Family Court failed to appreciate that the review petitions specifically pointed out suppression of material facts by the respondent in



the affidavit filed pursuant to the directions of the Hon'ble Supreme Court in the case of **Rajnesh** (*Supra*). Despite documentary evidence having been placed on record, including certified bank statements and other relevant documents, the learned Court erroneously observed that there was no material to substantiate the appellant's objections. It is submitted that the findings recorded by the Family Court are contrary to the judicial record and, therefore, liable to be set aside.

4. Appellant further submitted that the learned Family Court failed to appreciate that respondent had not made complete and truthful disclosure of her financial affairs as mandated in **Rajnesh** (*Supra*). It is contended that respondent had suppressed material particulars relating to fixed deposits and had also failed to disclose the regular financial assistance allegedly received from the appellant. It is further argued that during the pendency of the review proceedings, appellant placed on record information obtained under the Right to Information Act, 2005 revealing that respondent had been appointed as a teacher with effect from 07.05.2025. According to appellant, the said development constituted a material change in circumstances and ought to have been taken into consideration by the learned Family Court while deciding the review petitions.

5. Appellant also submitted that the award of litigation expenses under Section 24 of the Hindu Marriage Act was unsustainable in law. It is argued that the respondent was already receiving substantial financial assistance from the appellant through regular withdrawals from the joint account, which sufficiently enabled her to maintain herself and conduct the litigation. It is further contended that the learned Family Court failed to consider the statutory requirements under



Section 24 of the Hindu Marriage Act and overlooked material evidence demonstrating that the respondent was not without sufficient means. The impugned order, therefore, is stated to be contrary to the settled principles governing grant of litigation expenses.

6. It is also submitted by the appellant that the learned Family Court failed to exercise its review jurisdiction in accordance with law and ignored material evidence and binding precedents governing disclosure of financial assets in matrimonial proceedings. It is further contended that the operative portion of the impugned order does not appropriately deal with one of the review petitions, rendering the order incomplete and unsustainable. It is, therefore, prayed that the impugned order dated 05.08.2025 be set aside and the review petitions be allowed in accordance with law.

7. Learned counsel for the respondent-wife supported the order impugned and submitted that order impugned does not suffer from any legal infirmity. The scope of review is very limited and it can be invoked only when there is some error apparent on the face of record. She has further drawn the attention of this Court to the fact that order dated 12.03.2025 passed by learned Principal Judge, Family Court, has not been challenged by the appellant. She further submits that the respondent-wife had already disclosed in her affidavit about her financial status. She asserts that no interference is warranted and the appeal deserves to be dismissed.

8. Having heard the learned counsel for the parties and perused the material on record, this Court is of the considered opinion that no ground for interference with the impugned order is made out.



9. The scope of review under Section 114 read with Order XLVII Rule 1 of the Code of Civil Procedure is well settled and extremely limited. A review is not an appeal in disguise and lies only where there is an error apparent on the face of the record, discovery of new and important matter despite due diligence, or any other sufficient reason analogous thereto. The grounds raised by the appellant essentially seek a re-appreciation of the evidence regarding the respondent's financial status and documents already considered while passing the order dated 12.03.2025, which is impermissible in review jurisdiction. Equally, the respondent's subsequent appointment as a teacher cannot furnish a ground to review the earlier order. If such subsequent change in circumstances affects the rights of the parties, the appellant is at liberty to avail such remedy as may be available in law. In the absence of any error apparent on the face of the record or jurisdictional infirmity, the learned Family Court rightly dismissed the review petitions. The appellant has also not impugned the main order dated 12.03.2025 whereby litigation expenses were awarded.

10. Accordingly, the appeal is dismissed. The order dated 05.08.2025 passed by the learned Principal Judge, Family Court, Dehradun dismissing Review Petition Nos. 35C2 and 37C2 is affirmed. Pending application(s), if any, stand disposed of accordingly.

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

(Pankaj Purohit, J.) (Manoj Kumar Tiwari, J.)
16.07.2026