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

+ **CRL.REV.P.(MAT.) 412/2026**

PRABHU TALWAAR

.....Petitioner

Through: Ms. Rajeshwari Hariharan Sr.
Advocate with Mr. Akshit Tomar,
Advocate alongwith petitioner in
person

versus

ASHU TALWAR

.....Respondent

Through: Respondent in person

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

% **29.07.2026**

CRL.M.A. 22419/2026 (*for exemption*)

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

CRL.M.A. 22420/2026 (*for condonation of delay of 21 days*)

3. By virtue of the present application, the petitioner seeks condonation of delay of 21 days in filing of the present petition.
4. For the reasons stated therein, the present application is allowed and the delay of 21 days in filing of the present petition is condoned.
5. As such, the application is disposed of.

CRL.REV.P.(MAT.) 412/2026, CRL.M.A. 22496/2026 (*Stay*)

6. By virtue of the present petition under Section 19(4) of the Family Courts Act, 1984 read with Section 438 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the petitioner seeks setting aside of the order dated 24.03.2026 passed by the learned Judge, Family Court-02, Central District, Tis Hazari Courts, New Delhi in Maintenance Case no.418/2025.



7. Issue notice. Respondent appearing in person accepts notice.
8. This Court has interacted with the parties, both of whom are present in person.
9. Upon perusal of record, this Court finds that even though the petitioner/ respondent therein was directed to file his reply to the *ad interim* maintenance application on 23.03.2026, the learned Family Court, *surprisingly*, on the very day itself, proceeded to hear arguments thereon without waiting for said reply.
10. In fact, a perusal of impugned order also reveals that despite noting the petitioner's claim that he was earning only Rs. 8,500/- per month, the learned Family Court, without any material to justify the same and solely based on the assertion made by the respondent, had directed the petitioner to pay an *ad interim* maintenance of Rs. 15,000/- per month.
11. Considering the aforesaid, this Court is not satisfied with the findings rendered by the learned Family Court. As such, the impugned order dated 24.03.2026 is set aside and the proceedings are remanded back before the learned Family Court to re-adjudicate upon the aspect of *ad-interim* maintenance after taking into consideration all of the relevant factors including the reply filed by the petitioner in the said application.
12. Accordingly, the present petition is disposed of.
13. A copy of this order be sent to the concerned Principal District Judge, Central District, Tis Hazari Courts, New Delhi for information and compliance *forthwith*.

SAURABH BANERJEE, J

JULY 29, 2026/So