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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **MAT.APP.(F.C.) 55/2015, CM APPL. Nos. 8250/2015 (Delay) and 8251/2015 (Stay)**

SH SURESH JINDAL

..... Appellant

versus

SMT ARCHANA AGARWAL

..... Respondent

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+ **MAT.APP.(F.C.) 56/2015, CM APPL. Nos. 5267/2015 (Delay) and 8268/2015 (Stay).**

SURESH JINDAL

..... Appellant

versus

ASHUTOSH JINDAL

..... Respondent

Appearance

Dr. Anurag Kumar Agarwal and Mr. Umesh Mishra, Advocates for appellants.
(Item No. 27 & 28)

Ms. Archana Aggarwal and Mr. S. K. Aggarwal in person (Item No. 27).

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

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01.09.2015

While issuing notice in this matter, various directions were issued. A statement was also made by counsel for the appellant, on instructions, that he did not wish to challenge the quantification of the maintenance and confined his challenge to the findings of the learned Judge on other issues including the observations on the conduct of the parties. Today, learned counsel for the appellant submits that although a decree of divorce has been granted but an

appeal filed by the respondent is still pending adjudication in this court. He further submits that the observations made while deciding issue nos.1 and 3 on the conduct of the appellant may affect the proceedings before the learned Single Judge. It is further submitted that in the concluding part of the order, the trial court should have clarified that the observation made in the impugned order are primarily for the purpose of deciding application at hand alone.

The respondent who is present in person submits that the appellant has been delaying the decision in the matter which is pending and he has harassed his wife and children.

Heard.

Without expressing any opinion on the merits of the matter, we have no hesitation in saying that the learned Single Judge who is seized of the matter would decide the appeal filed by the respondent unaffected by any observation made by the trial court while deciding issue nos. 1 and 3.

With these observations, both the petitions along with pending applications are disposed of.

G.S.SISTANI, J

SANGITA DHINGRA SEHGAL, J

SEPTEMBER 01, 2015

gr/ssb