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

+ **MAT.APP.(F.C.) 116/2015**

% ***Judgment dated 14th December, 2015***

ADITYA MAHAJAN

..... Appellant

Through : Mr.Khushbir Singh, Adv. along with
appellant.

versus

SHACHI MAHAJAN

..... Respondent

Through : None.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

G.S.SISTANI, J (ORAL)

1. Present matrimonial appeal has been filed by appellant seeking to challenge the order dated 21.7.2015 passed by the Family Court in CC No.412/14 whereby the appellant herein was directed to pay Rs.50,000/- to the respondent to enable her to get the electricity restored at the premises bearing no.D-113, Anand Vihar, New Delhi, and for running day-to-day expenses. This amount was to be adjusted in future maintenance.
2. We had issued notice in this matter, as learned counsel for the appellant had submitted that the Family Court passed the impugned order without granting any opportunity to the appellant and directed payment of electricity charges without considering that the house is lying vacant for the past three years and further the Family Court has also failed to take into consideration that the appellant is paying the school fee of the child.
3. With great difficulty we were able to serve the respondent. On 27.11.2015 we had heard the parties in the chamber. During the pendency of the matter, a sum of Rs.50,000/- stand paid by the appellant to the respondent.

In view thereof, learned counsel for the appellant submits that no further orders are required to be passed in this appeal, however, he prays that the Family Court may be requested to consider two requests of the appellant herein, firstly, that the appellant may be permitted to meet his six years old child, whom he has not met for almost two years, and, secondly, no electricity charges are payable as the house already stands locked.

4. We have heard learned counsel for the appellant. A reading of the impugned order dated 21.7.2015 passed by the Family Court would show that it is an interim order, which has been passed. Ideally speaking the order should have contained some reasons.
5. Be that as it may, now the order dated 21.7.2015 stands complied with. We are informed that the next date before the Family Court is in the month of February, 2016. We request the Family Court to dispose of the application, as far as possible, on the next date of hearing after hearing both parties. The appellant may request the Family Court for meeting his six year old child.
6. Parties shall comply with the order of the Family Court granting visitation to the appellant.
7. Accordingly, appeal stands disposed of in view of above.

CM APPL. 18886/2015

8. Application stands disposed of in view of order passed in the appeal.

G.S.SISTANI, J

SANGITA DHINGRA SEHGAL, J

DECEMBER 14, 2015

msr

1. Later on respondent along with her daughter appeared and she has been apprised of the order passed today.

G.S.SISTANI, J

SANGITA DHINGRA SEHGAL, J

DECEMBER 14, 2015

msr