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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CM(M) 610/2016 & C.M. Nos.23006-07/2016
HECATE SHAH

..... Petitioner

Through Ms. Jasmine Damkewala and Mr.
Raghu Vashisht, Advs.

versus

ADITI MADAN

..... Respondent

Through None.

CORAM:
HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

% **20.07.2016**

The petitioner is aggrieved by the order dated 18.05.2016 which is the interim order passed by the Family Court Judge. Her contention is that the costs of Rs.5,000/- which had been imposed upon the petitioner for filing her documents late (which were admittedly late in time) as the affidavit had been filed dehors the documents, this Court is of the view that the costs of Rs.5,000/- which has been imposed upon the petitioner deserves no reconsideration.

The second aspect on which the petitioner is aggrieved is that litigation expenses has been assessed at Rs.10,000/- to be paid by the husband to the non-applicant/wife. Contention is that the wife deserves no litigation expenses as the affidavit which she had filed on record clearly shows that she is earning Rs.9,000/- per month as an interest income; she has deployed staff which includes a cleaner, cook and a car cleaner (although she has stated that she does not own

a car and she has a scooter only); additional submission being that the wife is litigating even under the provisions of the Domestic Violence Act as also a separate petition under Section 125 of the Cr.PC has also been filed; if this was really the position, she would not have been litigating.

The impugned order had noted the submission made on behalf of the petitioner which was to the effect that the wife was facing difficulty in pursuing the litigation and as a preliminary had ordered litigation expenses assessed at Rs.10,000/-. This amount is definitely not excessive and also calls for no interference.

This petition is an abuse of the process of the Court. It was only an interim direction passed by the Family Court. Dismissed with costs of Rs.5,000/-.

INDERMEET KAUR, J

JULY 20, 2016

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