

\$~16

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

+ **MAT.APP.(F.C.) 105/2016**

SAKET SHARMA

..... Appellant

Represented by: Ms.Latika Choudhary,
Advocate.

versus

SHUBHLATA

..... Respondent

Represented by: None.

CORAM:

HON'BLE MR. JUSTICE PRADEEP NANDRAJOG

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

%

08.08.2016

CM No.28231/2016

Allowed subject to all just exceptions.

MAT.APP.(F.C.) 105/2016 & CM Nos.28229-28230/2016

1. In view of the fact that the appellant did not place before the learned Family Court the order passed in favour of the wife in the proceedings under Section 125 CrPC nor brought to the notice of the learned Family Court that the appellant had to pay rent for the premises occupied by him in Chennai, learned counsel seeks leave to withdraw the appeal stating that the appellant would seek a review of the impugned order dated March 30, 2016.

2. From a perusal of the application filed by the respondent under Section 24 of Hindu Marriage Act, 1955 and the appellant's response thereto, we find that the learned counsel for the appellant did not properly

MAT.APP.(F.C.) 105/2016

Page 1 of 2

pursue the application and did not project arguable points which could be argued after documents were filed.

3. The appeal and the accompanying applications are accordingly dismissed as withdrawn observing that if the appellant was to file an application for review alongwith documents the learned Family Court shall decide the same as per law without taking a very technical view of the matter.

4. No costs.

PRADEEP NANDRAJOG, J.

PRATIBHA RANI, J.

AUGUST 08, 2016

'st'