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

+ **MAT.APP.(F.C.) 50/2015**

SOUMYA CHOWDHARY

..... Appellant

Represented by: Mr.Rajesh Tyagi & Mr.Harsh
Khanna, Advocates.

versus

ATUL CHOWDHARY

..... Respondent

Represented by: Mr.Sanjiv Bahl, Mr.Eklavya
Bahl, Mr.Pawas Agarwal &
Mr.Vinayak Batra, Advocates.

CORAM:

HON'BLE MR. JUSTICE PRADEEP NANDRAJOG

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

15.02.2017

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1. With respect to the impugned order learned counsel for parties concede that there is no discussion of the material placed by the parties before learned Judge, Family Court wherefrom the inference had to be drawn concerning the income of the parties.

2. Lest parties are prejudiced learned counsel state that without expressing any further opinion the appeal may be disposed of setting aside the impugned order December 17, 2014 and restoring the application filed by the appellant under Section 24 of the Hindu Marriage Act, 1955.

3. It is agreed that till the application is decided the respondent shall continue to pay to the appellant ₹15,000/- per month as maintenance, which amount shall be taken note of when the final order is passed.
4. The appeal is disposed of setting aside the impugned order dated December 17, 2014 and restoring the application filed by the appellant under Section 24 of the Hindu Marriage Act, 1955.
5. No cost.

PRADEEP NANDRAJOG, J

YOGESH KHANNA, J

FEBRUARY 15, 2017

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