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

+ MAT.APP.(F.C.) 91/2017 and CM APPL. 19735/2017 (stay)

KAMAL KUMAR

..... Appellant

Through: Mr. Praveen Kumar Singh, Advocate
with Mr. Dharam Pal, father of the appellant in
person.

versus

TWINKLE CHAUHAN

..... Respondent

Through: Mr. Abhinav Bajaj, Advocate with
respondent in person.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE DEEPA SHARMA

ORDER

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08.09.2017

1. Counsel for the appellant states that he has made compliances of the order dated 23.05.2017 and has also filed an affidavit as directed. A copy of the said affidavit be furnished to the counsel for the respondent in the course of the day.
2. Counsel for the respondent states on instructions that the arrears have been received by his client, except for the maintenance for the month of September, 2017. A cheque towards the maintenance for September, 2017 has been handed over to the respondent through counsel and duly accepted.
3. The present appeal is directed against an interim order dated 11.04.2017, passed by the learned Family Court, granting *pendente lite* maintenance to the respondent on an application filed by her under Section

24 of the Hindu Marriage Act. Learned counsel for the appellant states that as the application is still pending final decision, the appellant seeks leave to withdraw the present appeal while reserving his right to take all the pleas as may be available to him, both in law and on facts, before the learned Family Court, at the time of addressing final arguments. He however requests that the learned Family Court be directed to dispose of the said application expeditiously.

2. We are informed by the counsels for the parties that the next date fixed before the learned Family Court is 30.10.2017, on which date, the case is listed for recording the appellant's evidence. The learned Family Court is requested to fix a date for hearing arguments on the pending Section 24 application filed by the respondent. Both the parties shall ensure that they do not seek any adjournment on the date fixed in that regard. Till the said application is decided, the appellant shall continue complying with impugned order passed by the learned Family Court.

3. The appeal is disposed of alongwith the pending application.

HIMA KOHLI, J

DEEPA SHARMA, J

SEPTEMBER 08, 2017

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