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

+ MAT.APP.(F.C.) 113/2018, C.M. Nos. 20640-20641/2018

ABHILASH DILIP KUMAR ..... Appellant

Through Mr. Sunil Mittal, Senior Advocate  
with Mr. Sanjiv Saluja, Ms. Seema  
Seth and Mr. Dhruv Grover,  
Advocates

versus

SUPRIYA KUMAR @ SUPRIYA MEHTA ..... Respondent

Through Mr. Vipin Kumar Anand, Advocate

**CORAM:**

**HON'BLE MR. JUSTICE SIDDHARTH MRIDUL**

**HON'BLE MR. JUSTICE R.K. GAUBA**

**ORDER**

% **28.05.2018**

After lengthy arguments, Mr. Sunil Mittal, learned Senior Counsel appearing on behalf of the appellant, on instructions, limits the relief in the present appeal to the setting aside of the penal cost/interest in the amount of Rs.1,500/- per day, imposed vide the impugned order dated 07.04.2018, on the failure of the appellant to deposit arrears of maintenance within the time stipulated, as well as, his default in complying with the direction to deposit maintenance by the tenth of each succeeding month in bank account of the respondent wife.

Issue notice.

Mr. Vipin Kumar Anand, learned counsel appearing on behalf of the respondent accepts notice.

Having heard learned counsel appearing on behalf of the parties, whilst upholding the impugned order dated 07.04.2018 rendered by the learned Family Court, we, however, set aside the direction whereby the appellant had been directed to pay penal cost/interest in the amount of Rs.1500 per day.

We are of the view that there is no warrant for the issuance of such a direction within the meaning of the provisions of the Hindu Marriage Act, 1955.

The appeal is accordingly dismissed with the said modification of the impugned order. Pending applications also stand disposed of.

**SIDDHARTH MRIDUL, J**

**R.K. GAUBA, J**

**MAY 28, 2018**

*as*