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

+ MAT.APP.(F.C.) 205/2018

YOGESH PANWAR

..... Appellant

Through Mr. Sameer Chandra, Mr. Naveen Saxena
& Mr. Tushar Chhabra, Advocates.

versus

MANISHA PANWAR

..... Respondent

Through None.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MR. JUSTICE C. HARI SHANKAR

ORDER

% **21.08.2018**

CM APPL 33508/2018 (exemption)

Exemption is allowed, subject to all just exception.

The application stands disposed of.

CM APPL 33507/2018 (delay in filing)

This application has been filed by the applicant seeking condonation of 47 days delay in filing the appeal.

For the reasons stated in the delay application, the application is allowed.

47 days' delay in filing the appeal is condoned.

The application stands disposed of.

MAT.APP.(F.C.) 205/2018 & CM APPL 33506/2018 (stay)

The present appeal is directed against the order dated 01.06.2018 passed by the Family Court by which the maintenance has been fixed for the wife and daughter @ Rs.15,000/- per month during the pendency of the divorce petition. It is pointed out that the divorce petition has since been dismissed as withdrawn.

Counsel for the appellant contends that the Family Court has failed to take into account the income of the wife, which is evident from regular deposit of cash amount in her bank account. During the course of hearing, counsel for the respondent has fairly admitted that this fact was not brought to the notice of the Family Court. Counsel for the appellant submits that he would file an application before the Family Court, if so advised, for review of the order dated 01.06.2018.

In view of the stand taken by the counsels, the appeal and CM APPL 33506/2018 (stay) are dismissed as withdrawn. In case, the application for review of order dated 01.06.2018 is filed, the same would be considered in accordance with law.

We make it clear that we have not expressed any opinion on the merits of the matter.

G.S.SISTANI, J

C. HARI SHANKAR, J

AUGUST 21, 2018

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