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

+ CM(M) 1208/2016 & CM APPL.43881/2016

P Petitioner
Through: Ms. Rekha Aggarwal, Advocate.

versus

R Respondent
Through: Mr. Dinkar Singh with Ms. Ragini
Bisaria, Advocates.

CORAM:
HON'BLE MR. JUSTICE J.R. MIDHA

% **ORDER**
18.01.2018

1. The petitioner has challenged the order dated 17th October, 2016 whereby the learned Family Court directed the petitioner to pay Rs.21 lakh to the respondent for the marriage of the daughter of the parties.
2. Learned counsel for the petitioner submits that the respondent has not incurred more than Rs.14 lakh on the marriage of the daughter and, therefore, the respondent be directed to refund Rs.7 lakh to the petitioner.
3. Learned counsel for the respondent submits that the respondent has incurred more than Rs.28 lakh on the marriage and the petitioner be directed to pay a further amount of Rs.7 lakh to the respondent.
4. Vide order dated 17th May, 2017, this Court directed the respondent to place on record the expenses incurred on the marriage on affidavit along with the supporting documents. The respondent has filed the expenditure incurred in the marriage on affidavit according to which the respondent has incurred expenditure of Rs.28,46,160/-. The petitioner has filed the response to the same according to which the supporting documents are only

in respect of Rs.13,85,327/- and the balance expenses are not supported by documents.

5. This Court is of the view that there was no direction by learned Family Court as well as this Court to the respondent to maintain the proof of the expenditure and, therefore, the respondent was not expected to maintain the proof of the expenses incurred in the marriage. It is well known in the society that the parents always spend more than their capacity in the marriage of their daughter and this Court does not accept the petitioner's objection to the expenditure incurred in the marriage of their daughter. It is unfortunate that the petitioner who was advised by the learned Family Court to contribute the social obligations in the interest of the daughter, chose not to participate in the marriage.

6. The finding of the learned Family Court directing the petitioner to pay Rs.21 lakh to the respondent is based on the financial status of the parties which is duly recorded in the impugned order. There is no infirmity in the impugned order. The petition is dismissed.

J.R. MIDHA, J.

JANUARY 18, 2018

Pallavi