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

+ **MAT.APP.(F.C.) 300/2018**

SUKHBIR SINGH DAGAR

..... Appellant

Through Mr. Narendra Sharma, Advocate

versus

GEETA DAGAR

..... Respondent

Through

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

% **19.11.2018**

CM.APPL 47909/2018 (Exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

CM.APPL 47908/2018(delay)

This is an application filed by the applicant/appellant seeking condonation of 60 days delay in filing the present appeal. Although sufficient grounds have not been stated, however, keeping in view the age and education of the appellant and the reasons explained orally, the delay is condoned.

The application stands disposed of.

MAT.APP.(F.C.) 300/2018

Challenge in this appeal is to the order dated 21.07.2018 passed by the Family Court by which an application filed by the respondent/daughter-in-law of the appellant under Section 19 of the Hindu Adoption and Maintenance Act has been allowed and maintenance @ Rs.20,000/- per month has been fixed for the respondent and the two minor children.

Counsel for the appellant submits that the counsel who had then appeared in the matter had raised a technical objection with regard to the maintainability of the application as the daughter-in-law had not exhausted the remedy available to her. However, this ground has neither been discussed nor dealt with by the

learned Family Court. The learned counsel for the appellant submits that he would seek a review of the order dated 21.07.2018 passed by the learned Family Court and prays that the Family Court be directed to take a lenient view with regard to the period of limitation.

Heard. In case a review petition is filed within 10 days by the appellant from today, we hope that the Family Court will take a lenient view regarding limitation and decide the review petition in accordance with law.

The appeal stands disposed of in above terms.

CM.APPL 47907/2018(stay)

The application stands disposed of in view of the order passed in the appeal.

Dasti.

G.S.SISTANI, J

JYOTI SINGH, J

NOVEMBER 19, 2018

pst /
MAT.APP.(F.C.) 300/2018