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

+ MAT.APP.(F.C.) 34/2020 and CM APPL. 4432-4433/2020

SUNIL KUMAR Appellant

Through: Mr. Manish Gandhi, Advocate

versus

KRISHNA DEVI Respondent

Through: None

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE ASHA MENON

ORDER

% **04.02.2020**

1. The present appeal is directed against the judgment dated 22.11.2019, passed by the learned Family Court, dismissing a petition filed by the appellant/husband under Section 12(1)(c) of the Hindu Marriage Act, 1955 (in short, 'the Act') praying *inter alia* for annulment of the marriage with the respondent/wife.
2. Counsel for the appellant states at the outset that the appellant does not wish to press the present appeal. Instead, he proposes to file a fresh petition under Section 11 of the Act against the respondent.
3. The present appeal is dismissed as not pressed alongwith the pending applications with leave granted to the appellant to file an appropriate application under Section 11 of the Act.

4. Needless to state that while disposing of the present appeal and granting liberty to the appellant as prayed for, this Court has not made any observation on the maintainability of such a petition if so filed by the appellant, which is left to the learned Family Court to decide.

HIMA KOHLI, J

ASHA MENON, J

FEBRUARY 04, 2020

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