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

+ **MAT.APP.(F.C.) 103/2019 & C.M.Applns.16145-46/2019**

SAURABH

..... Appellant

Through: In person

versus

POOJA

..... Respondent

Through: Ms.A. Banerji, Advocate (DHCLSC)
with respondent in person

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE ASHA MENON

ORDER

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18.02.2020

1. The appellant is aggrieved by an order dated 15.01.2019, passed by the Family Court directing him to pay maintenance @ Rs.10,000/- per month to the respondent and the two minor children of the parties, who are in the care and custody of the respondent, besides bearing the expenses towards food, grocery, water bill and electricity bill and education of the children as it was stated by him that he had been bearing the said expenses in all that duration.
2. We may note that on the last date of hearing, the appellant was represented through a counsel, but today, the appellant appears in person and states that he has discharged his counsel.
3. On the last date, the appellant was directed to produce the receipts issued by the school towards proof of deposit of the school fee of the

children for the past 1 ½ years alongwith the proof of expenses incurred by him towards food and groceries supplied to the respondent and his two minor children for the year 2019.

4. On the first call, the appellant stated that he had not brought any documents. The matter was passed over to enable him to produce the relevant documents. On the second call, the appellant admits that he has paid the school fee of the children only till October, 2018 and not thereafter. He states that he is not in a position to pay the monthly maintenance as fixed by the learned Family Court and requests that he may be permitted to withdraw the appeal while reserving his right to approach the learned Family Court for modification of the impugned order.

5. Leave as prayed for is granted. The present appeal is dismissed as withdrawn alongwith the pending applications.

HIMA KOHLI, J

ASHA MENON, J

FEBRUARY 18, 2020

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