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IN THE HIGH COURT OF DELHI AT NEW DELHI

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MAT.APP.(F.C.) 22/2024 & CM APPL. 2560/2024 –Delay 171 days

RAVISH BHATT

.....Appellant

Through: Mr.Puneet Jaiswal & Mr.Kunal
Manav, Advs.

versus

POOJA DHAUNDIYAL

.....Respondent

Through: Mr.Nishant Kr Srivastava, Adv.
alongwith the respondent in person.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

18.11.2024

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1. The present appeal under Section 19 of the Family Courts Act seeks to assail the order dated 19.07.2023 passed by the learned Family Court (South), Saket, New Delhi, in HMA No.1895/2021. Vide the impugned order, the learned Family Court has dismissed the joint petition filed by the parties under Section 13(B)(1) of the Hindu Marriage Act, 1955, as infructuous after taking into account the fact that the respondent did not want dissolution of the marriage by mutual consent.
2. After some arguments, learned counsel for the appellant submits that the appellant, instead of pressing the present appeal, will pursue his remedies to seek recovery of the appellant's jewellery items which, he contends, are in the possession of the respondent.
3. Learned counsel for the respondent, by placing reliance on the



Settlement Agreement dated 10.12.2021, on the other hand denies this plea of the appellant that the jewellery items are in possession of the respondent.

4. In the light of the submission made by the learned counsel for the appellant, we dismiss the appeal as not pressed by granting liberty to the appellant to avail of appropriate remedies as per law in respect of any of his grievances regarding the jewellery items being in the possession of the respondent.
5. We, however, make it clear that in case, the appellant initiates any proceedings for recovery of any jewellery items from the respondent, the said claim will be considered by the competent Court/Authorities as per law.

REKHA PALLI, J

SAURABH BANERJEE, J

NOVEMBER 18, 2024

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