



\$~18

\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **MAT.APP.(F.C.) 214/2019, CM APPL. 35661/2019-Delay 290 days**  
**RAVINDER GAHLOT** .....Appellant

Through: Counsel (appearance not given)

versus

**KAVITA** .....Respondent  
Through: Mr. Vijay Dalal, Adv. alongwith  
respondent in person

**CORAM:**  
**HON'BLE MS. JUSTICE REKHA PALLI**  
**HON'BLE MR. JUSTICE SAURABH BANERJEE**

**ORDER**

% **12.11.2024**

1. The present appeal under Section 19 of the Family Courts Act, 1984 has been filed assailing the judgment dated 10.10.2018 passed by the learned Family Court West, Tis Hazari Courts, Delhi in H.M.A NO. 492/2018. Vide the impugned judgment, the learned Family Court has rejected the petition preferred by the appellant under Section 13(1)(ia) of the Hindu Marriage Act, 1955.

2. We may note that the appeal is accompanied by an application seeking condonation of 290 days delay in filing the same. Having perused the said application, we find that except for a bald statement that the parties were trying to settle the matter amicably, the appellant has given no justifiable reason for filing the appeal belatedly. This, in our view, cannot be a sufficient ground to condone this inordinate delay of 290 days in filing the appeal.



3. Furthermore, upon a perusal of the order passed by this Court on 08.08.2019, we find that the predecessor Bench had already recorded a *prima facie* finding that there was no illegality or perversity with the impugned judgment and notice was issued in the appeal only to explore the possibility of an amicable settlement.

4. Today, it is the common case of the parties that no amicable settlement could be arrived at between the parties. In these circumstances, we have no other option but to dismiss the appeal not only on the ground of delay but also on merits.

5. The appeal alongwith the application is accordingly dismissed.

**REKHA PALLI, J**

**SAURABH BANERJEE, J**

**NOVEMBER 12, 2024/Ab**