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

% *Date of decision: 08th July, 2024*

+ CM(M) 2862/2024 & CM APPL. 37487/2024

YOGESHPetitioner

Through: Mr. Karan Pal Singh, Advocate
versus

PRIYARespondent

Through: None

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

JUDGMENT (oral)

CM APPL. 37487/2024

Exemption allowed subject to all just exceptions.

CM(M) 2862/2024

1. Present petition has been filed under Article 227 of the Constitution of India seeking to set aside impugned orders dated 20.02.2024 & 08.05.2024.
2. As per Mr. Karan Pal Singh, learned counsel for petitioner, petitioner Yogesh has filed a petition seeking divorce and his such petition has been registered as HMA 1340/2023. When the respondent appeared before the learned Trial Court on 20.02.2024, learned Trial Court burdened the petitioner with a cost of Rs. 11,000/- towards litigation expenses.
3. Matter was thereafter taken up by the learned Trial Court on 08.05.2024 and since the cost was not paid, matter was adjourned *sine die* and liberty was granted to the petitioner to revive the same, once he had complied with the direction regarding payment of litigation expenses.



4. Admittedly, it is a case filed under Hindu Marriage Act, 1955 and in terms of Section 24 of Hindu Marriage Act, 1955, direction with respect to grant of litigation expenses is neither unjustified nor impermissible.
5. The grouse of the petitioner that respondent should have been directed to approach the Legal Service Authority is totally misplaced as even the petitioner has chosen to contest in the Court through a private counsel.
6. Moreover, in a metropolitan city like Delhi, mere amount of Rs. 11,000/- as litigation expenses is neither excessive nor arbitrary.
7. When asked, learned counsel for petitioner informed that petitioner is working with M/s Adarsh Service and is getting Rs. 13,600/- per month.
8. Be that as it may, keeping in mind the overall facts and circumstances of the case, I do not find any illegality and impropriety in either of the impugned orders.
9. Present petition is accordingly dismissed.

(MANOJ JAIN)
JUDGE

JULY 08, 2024/dr