



2024:DHC:6534



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% ***Date of decision: 28th August, 2024***+ **CM(M) 3189/2024 & CM APPL. 47415-47416/2024****MANISH KUMAR**

.....Petitioner

Through: **Mr. Mukesh Rana with Ms. Mamta,
Advocates.**

versus

YUKTI

.....Respondent

Through: **None.****CORAM:****HON'BLE MR. JUSTICE MANOJ JAIN****J U D G M E N T (oral)**

1. Petitioner is defending a divorce petition filed by his wife.
2. During course of the proceedings, right of the defendant to file written statement was forfeited and his defence was also struck off.
3. An application was moved which was, eventually, allowed by the learned Trial Court, albeit, subject to some cost.
4. The limited prayer in the present petition is to set aside such cost.
5. I have seen the impugned order and also the cost which was imposed. Such cost is of Rs. 7,000/-.
6. Fact remains that the present petition has been filed under Article 227 of the Constitution of India and while exercising supervisory jurisdiction, the Court is not required to unnecessarily interfere in such type of discretion regarding imposition of cost, which even otherwise does not seem to be excessive.
7. The duty of the supervisory Court is to interdict if it finds that the findings are perverse i.e. (i) Erroneous on account of non-consideration of



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material evidence, or (ii) Being conclusions which are contrary to the evidence, or (iii) Based on inferences that are impermissible in law. Reference be made to *Puri Investments Versus Young Friends and Co. and Others*: 2022 SCC OnLine SC 283.

8. Thus, this Court does not find any reason to interfere with the impugned order.

9. Resultantly, the petition is dismissed.

(MANOJ JAIN)
JUDGE

AUGUST 28, 2024/sw