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

+ CRL.REV.P.(MAT.) 12/2024, CRL.M.A. 24609/2024,
CRL.M.A. 24610/2024 and CRL.M.A. 24611/2024

KUNAL THUKRAL

..... Petitioner

Through: Ms.Sakshi Mehley, Ms.Harshita Kumar
and Mr.Sajal Manchanda, Advocates

versus

KANIKA SAHNI & ANR.

..... Respondents

Through: None

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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20.08.2024

1. By way of present petition, the petitioner seeks to assail the order dated 10.07.2024 passed by the Judge, Family Courts, Shahdara, Karkardooma Courts in MT Case No. 730 of 2022.
2. The impugned order answers in negative the contention raised by the petitioner that the Court did not have territorial jurisdiction to deal with the maintenance petition preferred by the respondents herein. While dealing with the said observations, the Family Court had noted the contentions of the petitioner that in the income affidavit filed alongwith her maintenance petition, the respondents had mentioned their residence to be at H. No. 16, Ground Floor, Ramprastha Greens, Ghaziabad, Uttar Pradesh. Further, the petitioner had also brought on record the Domestic Incident Report dated 16.02.2023 which again showed her to be resident of H. No. 508B,



Sunbreeze Apartments, Ghaziabad, Uttar Pradesh. Both of these accommodations were shown to be rented. It is the contention of the petitioner that the abovementioned two addresses are contrary to the averment made by the respondent No.1 in the maintenance petition that she was a resident of 165, Jagriti Enclave, Delhi.

3. During the course of hearing, learned counsel for the petitioner concedes that 165, Jagriti Enclave, Delhi is the parental home of the respondents.

4. A perusal of the petition would show that the petitioner had categorically stated, while claiming jurisdiction of the Court at Delhi that she was a resident of 165, Jagriti Enclave, Delhi, and the affidavit alongwith the petition also mentions the same address. The contention that while claiming HRA, the respondents had shown their address to be not at Delhi but at Ghaziabad would best be left to be raised in the trial when the respondents step in the witness box. Considering that the maintenance petition categorically mentions the respondent to be residing at Delhi, I find no ground to entertain the present petition. Accordingly, the same is dismissed alongwith the pending applications.

MANOJ KUMAR OHRI, J

AUGUST 20, 2024

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