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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ MAT.APP.(F.C.) 22/2025, CM APPL. 2998/2025-Stay, CM APPL.
2999/2025-Exp.

SHASHIAppellant

Through: Mr. Prateek Kumar, Advocate

versus

ARYA KUMARRespondent

Through: None

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

ORDER
17.01.2025

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1. After some arguments, learned counsel for the appellant submits that taking into account that the impugned order is a procedural order, instead of pressing the present appeal he will prefer a petition under Article 227 of the Constitution of India to assail the said impugned order.
2. The appeal is, alongwith accompanying applications, accordingly disposed of as not pressed, with liberty as prayed for.
3. We make it clear that in case the appellant files a petition under Article 227 of the Constitution of India to assail the impugned order dated 19.12.2024, the same will be considered on its own merits.
4. Despite the aforesaid and especially taking into account the peculiar facts of this case as also the fact that the appellant is being granted liberty to prefer a petition under Article 227 of the Constitution of India, we hope that



in case the appellant makes a request to the learned Family Court on 21.01.2025, when the matter is listed, the Court will consider his request for adjournment sympathetically.

REKHA PALLI, J

SAURABH BANERJEE, J

JANUARY 17, 2025/akr