



\$~69

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

+ **MAT.APP.(F.C.) 47/2025 and CM APPL. 6987/2025 –Int. orders**

MAYUR PRIYA BHARTI

.....Appellant

Through: **Mr. Mohit Verma, Advocate.**

versus

HEMLATA NIMESH & ORS.

.....Respondents

Through:

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MS. JUSTICE RENU BHATNAGAR

ORDER

24.02.2025

%

1. The present appeal under Section 19 of the Family Courts Act, 1984 read with Section 528 of Bharatiya Nagarik Suraksha Sanhita Act, 2023 seeks to assail the order dated 18.12.2024 passed by the learned Family Court in MT No.636/2021. Vide the impugned order, learned Family Court has, after recording the part cross examination of the respondent, deferred the matter for her further cross examination.

2. Learned counsel for the appellant submits that the appellant has been compelled to approach this Court as despite an application having been moved by the appellant under Sections 7 and 8 of the Family Courts Act raising a grievance that the learned Family Court did not have the necessary territorial jurisdiction to deal with the petition preferred by the respondent, no orders are being passed by the learned Family Court in respect of the said applications.



3. Having perused the impugned order, we are of the considered view that the present appeal would not be maintainable under Section 19 of the Family Courts Act. However, taking into account the appellant's aforesaid grievance, which would in our opinion go to the root of the matter, we dispose of the appeal by granting liberty to the appellant to move an appropriate application before the learned Family Court, with a prayer to dispose of his pending application under Sections 7 and 8 of the Family Courts Act. We expect that in case such an application is moved, the learned Family Court will dispose of the same as expeditiously as possible.
4. We, however, make it clear that we have not expressed any opinion on the merits of the claim raised by the appellant.

REKHA PALLI, J

RENU BHATNAGAR, J

FEBRUARY 24, 2025/uk