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

+ **MAT.APP.(F.C.) 59/2023 & CM APPL. 9662/2023 –Stay.**

ADITI GROVER

.....Appellant

Through: Mr. Prashant Mendiratta, Adv.,
Mr. Sanchit Saini, Adv alongwith appellant in person

versus

RAHI GROVER

.....Respondent

Through: Ms Shalini Kapoor, Mr Karan
Bhambri, Ms. Divyanshi Saxena and Mr. Udit
Bhatiani, Advs.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

20.01.2025

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1. The present appeal under Section 19 of the Family Courts Act, 1984 seeks to assail the order dated 12.12.2022 passed by the learned Family Court, North District, Rohini Courts, Delhi in HMA No. 58692/2016. Vide the impugned order, the learned Family court has allowed the application under Section 24 of the Hindu Marriage Act, 1955 (the Act), preferred by the appellant/wife by directing the respondent to pay her interim monthly maintenance of Rs.17,500/- from the date of her application. The Court has further directed that the appellant will be entitled to enhancement in maintenance @10%



after completion of every two years.

2. On 14.01.2025, after the learned counsel for the parties were heard at some length, it was put to learned counsel for the respondent as to whether the respondent without prejudice to his rights and contentions, was willing to pay interim maintenance @ Rs.75,000/- per month. He had prayed for time to obtain instructions in this regard.
3. Today, Ms. Kapoor appears on behalf of the respondent and submits that the respondent without prejudice to his rights and contentions, is willing to pay monthly interim maintenance @ Rs.75,000/- to the appellant from the date of her application. She further submits that the respondent is also agreeable to this Court clarifying that this interim maintenance of Rs.75,000/- would be enhanceable after every two years from today. She, however, prays that it may be made clear that this interim arrangement would be applicable only till the disposal of the respondent's pending petition under Section 13(1)(ia) of the Act by the learned Family Court, whereafter the parties would, subject to their right to appeal, be governed by the orders as may be passed by the learned Family Court.
4. Learned counsel for the appellant, on instructions from the appellant, who is present in Court, submits that this suggestion as noted in the last order is acceptable to her also *albeit* without prejudice to her rights and contentions in the pending petition before the learned Family Court.
5. In light of the aforesaid stand taken by the parties, we dispose of the appeal by modifying the impugned order and directing that the



appellant would be entitled to interim monthly maintenance @ Rs.75,000/- from the date of her application i.e., 12.05.2016. This amount would be enhanceable @10% after two years from today. Arrears in terms of this order will be paid by the respondent within three months, with 1/3rd of the amount towards arrears to be paid within two weeks from today.

6. Further, taking into account the peculiar facts of the case and the fact that the appellant was till now recovering monthly maintenance of Rs.17,500/-, we direct that the costs as imposed on the appellant by the learned Family Court for seeking adjournments will stand waived. We, however, make it clear that in case any further undue adjournment is sought by any of the party, the learned Family Court will be free to impose appropriate cost.
7. Further, we make it clear that this order directing the respondent to pay monthly maintenance @ Rs.75,000/- has been passed only by way of an interim arrangement and will not in any manner prejudice to the rights of the parties before the learned Family Court at the time of the final adjudication.

REKHA PALLI, J

SAURABH BANERJEE, J

JANUARY 20, 2025
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