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

+ **CRL.REV.P.(MAT.) 175/2025, CRL.M.A. 11742-11744/2025**

BINOD KUMAR GOSWAMI

.....Petitioner

Through: Mr. Kunal Vishistha and Ms. Dunika
Joshi, Advocates.

versus

SHARDA GOSWAMI

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

21.04.2025

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1. The present petition under Section 438 read with Sections 442 and 528 of Bharatiya Nagarik Suraksha Sanhita, 2023¹ is directed against order dated 23rd January, 2025 passed by the Family Court-02, Saket, Delhi in M. No. 86/2022 titled as “*Sharda Goswami v. Binod Kumar Goswami*”.

2. Briefly stated, the factual background leading to the filing of the present case, as narrated in the petition, is as follows:

2.1 The Petitioner and the Respondent married on 27th May, 1994 and from this marriage, have three daughters. Over time, owing to personal and temperamental differences, the parties began living separately.

2.2 The Respondent thereafter instituted proceedings before the Family Court under Section 125 of the Code of Criminal Procedure, 1973² seeking maintenance. By an order dated 1st June, 2023, the Family Court awarded her interim monthly maintenance of ₹15,000.

¹ “BNSS”

² “Cr.P.C.”



2.3 Subsequently, the Respondent moved an application seeking a direction to the Petitioner to deposit ₹1,37,500 into her bank account towards reimbursement of the annual academic fees for the 2024–2025 session, incurred for their daughter, Ms. Pratiksha Goswami, who is presently pursuing a B.Tech. degree at Indira Gandhi Technical University for Women. It was contended that the Petitioner, being the father, was liable to contribute to the educational expenses, even though the daughter had attained the age of majority.

2.4 The Family Court, *vide* the impugned order, directed the Petitioner to pay the aforesaid amount to the Respondent.

2.5 Aggrieved, the Petitioner has invoked the revisional jurisdiction of this Court, seeking setting aside of the aforesaid impugned order.

3. Counsel for the Petitioner submits that the Petitioner is employed as a Constable with the Border Security Force, and is already supporting the educational needs of his other two daughters. It is contended that he continues to pay ₹15,000 per month towards maintenance to the Respondent and had, even prior to the dispute, created fixed deposits amounting to ₹5,00,000, which could be utilised by the Respondent for academic expenses. He further argues that as per prevailing government policy, educational reimbursements are permissible only for two children, and therefore, the direction to bear the full annual fee of the third daughter, Ms. Pratiksha Goswami, is arbitrary and imposes an undue financial burden.

4. The Court has considered the aforementioned contentions, but finds no merit in the challenge. As rightly observed by the Family Court, although Ms. Pratiksha Goswami has attained the age of majority, she remains financially dependent on her parents for pursuing higher education. She continues to reside with the Respondent, who has no independent source of



income other than the maintenance of ₹15,000 per month, an amount that is evidently inadequate to cover her educational costs. This Court, in the case of *Zahir Abdullah & Anr. v. Omar Abdullah*,³ has held that the obligation of a father to provide for his children does not cease merely upon their attaining the age of majority, particularly when they are pursuing higher education and are not financially self-sufficient.

5. Viewed in that light, the direction to reimburse educational expenses cannot be seen as either arbitrary or excessive. The amount in question pertains solely to the academic fee incurred for the higher education of the daughter of the parties. In the absence of any perversity or manifest error in the reasoning of Family Court, this Court sees no ground to interfere with the impugned order while exercising its revisional jurisdiction.

6. Accordingly, the petition is dismissed along with pending application(s).

SANJEEV NARULA, J

APRIL 21, 2025

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³ 2023 SCC OnLine Del 5341.