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

+ **MAT.APP.(F.C.) 221/2023**

KHUSHBOO SAHRAWAT

.....Appellant

Through: Mr. Rishabh Bansal, Ms. Daksha Arora and Ms. Sakshi Pareek, Advs. with appellant in person.

versus

KUNAL BALHARA

.....Respondent

Through: Ms. Anu Narula, Adv.

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MAT.APP.(F.C.) 222/2023, CM APPL. 38639/2023

KUNAL BALHARA

.....Appellant

Through: Ms. Anu Narula, Adv.

versus

KHUSHBOO SAHRAWAT

.....Respondent

Through: Mr. Rishabh Bansal, Ms. Daksha Arora and Ms. Sakshi Pareek, Advs. with respondent in person.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

22.01.2025

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1. The present appeals under Section 19 of the Family Courts Act, 1984, one by the husband and other by the wife, filed assailing the order dated 02.05.2023 passed by the learned Judge, Family Court-01, South East District, Saket Courts in HMA No.186/2022. Vide the impugned order, the application under Section 24 of the Hindu Marriage Act, 1955 [the Act] filed by the wife who is the appellant in MAT.APP.(F.C.) 221/2023 was allowed



by directing the respondent husband [appellant in MAT.APP.(F.C.) 222/2023] to pay monthly interim maintenance of Rs.1,00,000/- to her. Vide order dated 10.01.2024, this Court had by way of an interim arrangement directed that instead of the monthly sum of Rs.1,00,000/- payable to the wife, in terms of the interim order, a sum of Rs.50,000/- per month be paid to her during the pendency of the present appeals. The said amount is, admittedly, being paid to the appellant wife who has also received the arrears on the said rate of Rs.50,000/- from the date of filing of the application under Section 24 of the Act.

2. Both sides inform us that during the pendency of the present appeals, final arguments in HMA No.186/2022 have already been addressed before the learned Family Court and the matter is now listed before the Court on 07.02.2025 for clarifications. The parties, therefore, expect that the judgment in the main petition will be rendered shortly.

3. In the light of this admitted position and taking into account that the wife Ms. Khushboo Sahrawat is, pursuant to the interim order passed by this Court, being paid an interim monthly maintenance of Rs.50,000/-, we are of the view that no useful purpose will be served in considering the present appeals on merits at this stage when the final judgment in the main petition before the learned Family Court is itself likely to be rendered shortly.

4. Accordingly, we dispose of the appeals by directing that the interim arrangement of the wife receiving a monthly sum of Rs.50,000/- as maintenance, would continue till the disposal of the HMA No.186/2022 by the learned Family Court.

5. However, taking into account that both sides are aggrieved by the interim order passed under Section 24 of the Hindu Marriage Act, 1955



while disposing of the appeals, in the aforesaid terms, we direct the learned Family Court, to decide the final maintenance/ alimony, without being influenced by the findings rendered in the impugned order.

6. The appeals, along with the pending applications, are accordingly disposed of.

REKHA PALLI, J

SAURABH BANERJEE, J

JANUARY 22, 2025

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