



\$~44

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

+ CM(M) 1099/2025
PRIYANKA

.....Petitioner

Through: Dr. Anil Kumar Bakshi, Adv.
alongwith the petitioner

versus

SAURABH CHHABRA

.....Respondent

Through: Ms. Megha Malhotra, Adv.

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

% **21.11.2025**

CM APPL. 73333/2025 (By petitioner for correction of order dated 14.11.2025)

1. By virtue of the present application, the petitioner seeks correction of the order dated 14.11.2025.
2. For the reasons stated, the present application is allowed to the extent of the typographical errors crept in *paragraph nos.2* and *4* in order dated 14.11.2015, wherein the date of impugned order i.e. 01.03.2025 has inadvertently been mentioned as 30.10.2023. The same stands corrected and the date of impugned order in both aforesaid paragraphs stands corrected to 01.03.2025.
3. Similarly, for better clarification, *paragraph no. 5* of the same order is also modified since the same pertains to decision *qua* 'ad interim maintenance'.
4. As such, the modified *paragraph nos. 2, 4* and *5* of the said order dated 14.11.2015 with the proposed modifications highlighted in 'bold' are as under:-



2. *The relevant extract of the said order dated 01.03.2025 is reproduced as under:-*

“It has been pointed by Ld. counsel for respondent that application under Section 340 C.P.C. filed by him is also listed for arguments. He has placed reliance on the judgment title Praveen R. Vs. Arpitha in Writ petition No. 19448 of 2015 (GM-FC) passed by Hon'ble High Court of Karnataka; Amit Bajpai Vs. State of U.P. & Anr. in Crml. Revision No. 3760 of 2023 passed by Hon'ble High Court of Allahabad in support of his submissions that the application under Section 340 CrP.C. has to be decided before the application for interim maintenance under Section 24 HMA.

In view of the submissions, this court is of the view that since the findings on allegations under Section 340 Cr.PC. might also have bearing on the right of the respondent to get the maintenance, the application under Section 340 Cr.P.C. shall be argued before the other applications.

Put up for further proceedings with the application under Section 340 Cr.P.C. on 08.04.2025.”

4. *Accordingly, the present petition is allowed and the order dated 01.03.2025 is set aside.*

5. *Further, though HMA No.502/2023 was filed by the respondent/ husband in May, 2023, and the application under Section 24 of HMA therein has been filed by the petitioner/ wife for seeking maintenance on 30.10.2023. Despite thereto, the interim maintenance is yet to be fixed therein. As such, the learned Family Court is requested to decide the aforesaid aspect of fixation of the **ad interim maintenance**, if any, as early as possible, preferably within a period of six weeks from when the same is listed before the learned Family Court prior to adjudicating the application under Section 340 of the CrPC and the application under Section 24 of the HMA.”*

[Emphasis Supplied]



5. Needless to say, the present order shall be read in conjunction with the order dated 14.11.2025 passed by this Court.

6. As such, the present application stands disposed of.

CM APPL. 73332/2025 (*By respondent seeking modification of order dated 14.11.2025.*)

7. By virtue of the present application, the respondent seeks modification of the order dated 14.11.2025 passed by this Court.

8. In view of the order passed in *CM APPL. 73333/2025* herein above, learned counsel for the respondent seeks to withdraw the present application.

9. The present application is dismissed as withdrawn.

SAURABH BANERJEE, J

NOVEMBER 21, 2025/Ab