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

+ MAT.APP.(F.C.) 326/2023

SMT PUSHPANJALI AND ANRAppellants

Through: Ms. Meena Jha, Advocate along
with Appellant No. 1 in person.

versus

SH GANGA SHARAN BHASKARRespondent

Through: Appearance not given.

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+ MAT.APP.(F.C.) 414/2025

SMT. PUSHPANJALI & ANR.Appellants

Through: Ms. Meena Jha, Advocate along
with Appellant No. 1 in person.

versus

SH. GANGA SHARAN BHASKARRespondent

Through: Appearance not given.

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

HON'BLE MR. JUSTICE HARISH VAIDYANATHAN

SHANKAR

ORDER

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15.12.2025

1. With the consent of the parties, who appear in person along with their respective learned counsel, the present two Appeals are being taken up together and shall be disposed of by this common Order since they involve the same parties. The Appellants herein are the widowed daughter-in-law and the grandchild of the Respondent.

2. MAT.APP.(F.C.) 326/2023 has been filed under Section 19 of the Family Courts Act, 1984, challenging the Judgment and Decree dated 17.08.2023 [**"Impugned Judgment and Decree"**] passed in HAMA No. 02/2016, whereas, MAT.APP.(F.C.) 414/2025 has been



filed under Section 341 read with Section 482 of the Code of Criminal Procedure, 1973 [“**Cr.P.C.**”], challenging the Order dated 17.08.2023 [“**Impugned Order**”] passed in the Application filed under Section 340 of the Cr.P.C. being Misc. No. 25/2021, by the learned Family Court, Central District, Tis Hazari Courts, Delhi.

3. By way of the Impugned Judgment and Decree, the learned Family Court has dismissed the Petition preferred by the Appellants, under Section 19(1) of the Hindu Adoption and Maintenance Act, 1956, [“**HAMA**”] seeking maintenance from the Respondent/father-in-law, on the ground that the Appellants failed to establish that the Respondent was in possession of any coparcenary property.

4. Learned counsel for the Appellants has been heard at length and they do not dispute the aforesaid factual position.

5. It is not the case of the Appellants that the Respondent/father-in-law of Appellant No. 1 was in possession of any coparcenary property.

6. The Appellant No.1, appearing in person, contends that her husband was the owner of certain property which has been retained by the Respondent. In such circumstances, the appropriate remedy available to the Appellants would be to file an appropriate suit and not a Petition under Section 19 of the HAMA.

7. By MAT. APP. 414/2025, the Appellants assail the dismissal of the application under Section 340 of the Cr.P.C. It is alleged by the Appellants that Respondent had taken a different stand in the written statement filed in the Petition under Section 19 of the HAMA and in FIR No. 0469/2020.

8. This Court is of the considered view that the Appellants should focus on getting their entitlement, if legally permissible, rather than



indulging in unnecessary litigation. Hence, these two Appeals are dismissed.

9. It is made clear that this Court is not making any observations on the merits of the present two Appeals, and in the event the Appellants prefer the appropriate legal remedy before the Competent Court, as permissible under law, the same shall be decided on its own merits, without being influenced by any observations made hereinabove.

10. Accordingly, the present Appeals, along with pending application(s), if any, stand disposed of in the aforesaid terms.

11. A photocopy of the Order passed today be kept in the connected matters.

ANIL KSHETARPAL, J.

HARISH VAIDYANATHAN SHANKAR, J.
DECEMBER 15, 2025/nd/her