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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ MAT.APP.(F.C.) 309/2025, CM APPL. 53856/2025 and CM APPL.
53857/2025
AAKASH CHOPRAAppellant

Through: Mr. Vikas Tiwari, Mr. Kumar
Deepraj and Ms. Arushi Rathore,
Advs. with Appellant in-person.

versus

SVIKARNI SINGH CHOPRARespondent
Through: Mr. Gorang Goyal, Adv.

CORAM:
HON'BLE MR. JUSTICE ANIL KSHETARPAL
HON'BLE MR. JUSTICE HARISH VAIDYANATHAN
SHANKAR

ORDER
23.09.2025

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1. The present Appeal has been filed by the Appellant under Section 19 of the Family Courts Act, 1984 read with Section 28 of the Hindu Marriage Act, 1955 [hereinafter referred to as "HMA"] assailing the order dated 10.07.2025 [hereinafter referred to as "Impugned Order"] passed by the learned Judge, Family Court, South District, Saket Courts, New Delhi in Misc. P. No. 149/2019 of HMA No. 315/2011 captioned ***Svikarni Singh Chopra v. Aakash Chopra.***
2. The only dispute in the present Appeal is with regard to the assessment of the amount of maintenance *pendent lite* awarded *vide* the Impugned Order.
3. The Appellant/husband is an officer in the Indian Air Force drawing in-hand salary of Rs.1,86,722/- per month whereas, the Respondent/wife is



working as an in-house counsel and earning Rs.1,02,185/- per month.

4. On 19.11.20108, the couple was blessed with one daughter about sixteen and a half years old, who is staying under the care and custody of the Respondent.

5. The Family Court *vide* Impugned Order has directed the Appellant to pay maintenance @ Rs.20,000/- per month, in addition to the school tuition fee and transportation fee of the minor daughter amounting to Rs.21,500/- per month. In substance, the Appellant has been directed to pay nearly Rs.41,500/- per month.

6. Heard learned counsel representing the parties at length and with their able assistance perused the paper book.

7. Learned counsel representing the Appellant submits that the Appellant has solemnized a second marriage and is blessed with two children. In addition, he is also maintaining his aged parents and his sister (separated from her husband) along with her specially abled child. It is submitted that the Appellant has all these responsibilities and the amount of maintenance ordered by the Family Court is excessive.

8. *Per contra*, learned counsel representing the Respondent submits the Respondent is incurring expenses on extra-curricular activities for the minor daughter.

9. This Court has considered the submissions and observed that the total income of the Appellant and the Respondent comes to Rs.2,90,000/- (approx.).

10. The Respondent also has the responsibility to maintain her minor daughter and her income is likely to grow at a much faster pace in the near future as compared to the income of the Appellant.



11. Moreover, the Appellant is responsible for the care of his two children from his second marriage, his second wife, his aged parents and his sister, who has a child with special needs.

12. In view of these circumstances, it is considered appropriate to reduce the amount of maintenance from Rs.41,500/- per month to Rs.20,000/- per month. This amount shall be payable from the date of filing the application.

13. Learned counsel representing the Appellant further submits that the proceedings under Section 26 of the HMA are summary in nature and the Family Court has erred in directing full-fledged trial.

14. In the facts and circumstances of the present case, the Appellant is granted liberty to bring this fact to the Notice of the Family Court, which will pass appropriate orders in accordance with law.

15. Hence, with these observations, the present Appeal, along with pending applications, is dismissed.

ANIL KSHETARPAL, J.

HARISH VAIDYANATHAN SHANKAR, J.

SEPTEMBER 23, 2025

s.godara/rgk