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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 9006/2025**
SHRI SUNIL KUMAR
SHARMA

.....Petitioner

Through: Mr. Amanpreet Singh, Mr.
Manas Rao & Mr. Kanwal
Nair Singh, Advs.

versus

STATE NCT OF DELHI
AND ANR.

.....Respondents

Through: Mr. Raj Kumar, APP for
the State

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER
17.12.2025

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1. By way of the present petition, the petitioner seeks quashing of proceedings filed by his grandson and Daughter-In-Law under Section 144 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS') seeking grant of maintenance.
2. The learned counsel for the petitioner submits that the son of the petitioner expired on 14.01.2025.
3. He submits that even though it may be a moral responsibility of a grandfather to look after his grand child, however, no maintenance can be sought by invoking Section 144 of the BNSS.
4. The learned counsel for the petitioner relies upon the judgment in the case of ***Abdul Khader v. Tasleem Jamela Agadi and Others*** : RPFC No. 100026 of 2022.
5. Concededly, no order has been passed by the learned Family Court as yet and only notice has been issued. The



learned Family Court will consider the arguments raised by the petitioner and will pass an appropriate order.

6. Considering that the petitioner is a resident of Gujarat, the learned Family Court is directed to decide the issue of maintainability expeditiously without granting any unwarranted adjournments to any of the parties.

7. Till such time the issue of maintainability is decided by the learned Family Court, the petitioner is permitted to appear through video-conference before the learned Family Court.

8. The present petition is disposed of with the aforesaid observations. Pending Application(s), if any, also stand disposed of.

AMIT MAHAJAN, J

DECEMBER 17, 2025
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