



\$~11

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

+ **MAT APP (F.C.) 445/2025 & CM APPL. 82698/2025 (Stay)**

RAJAT KANWARAppellant

Through: Mr. Sanjay Dewan, Sr Adv with
Ms.Drishti Mittal and Ms.
Sudershani Ray, Advs .

versus

SHIKHA KANWARRespondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

**HON'BLE MR. JUSTICE HARISH VAIDYANATHAN
SHANKAR**

ORDER

% **24.12.2025**

CM APPL. 82699/2025 (Exemption)

1. Allowed, subject to all just exceptions. Application stands disposed of.

MAT APP (F.C.) 445/2025

2. The present Appeal, under Section 19 of the Family Courts Act, 1984, seeks to challenge the correctness of the Order dated 19.12.2025 passed by the learned Family Court, South-East, Saket, New Delhi, in HMA No.994/2021 titled as ***“Shikha Kanwar v. Rajat Kanwar”***.

3. The Appellant and Respondent are husband and wife. On account of matrimonial discord between the parties various litigations are pending. The Respondent has filed a petition seeking divorce from the Appellant which is pending before the learned Family Court.

4. During pendency of the said petition, the Appellant filed an



application seeking to restrain the Respondent from encashing the LIC policy bearing No. 116697743, which application came to be dismissed by the learned Family Court.

5. Learned Senior Counsel representing the Appellant submits that the yearly premium for purchase of subject LIC policy has been paid by the Appellant and the Respondent should be restrained from encashing the same.

6. In the alternative, he submits that the encashed amount be adjusted towards payment of maintenance.

7. This Court has considered the submissions.

8. Admittedly the policy has been issued in the name of the Respondent. Before grant of injunction, the Court is required to apply three well-settled tests namely *prima facie* case, balance of convenience and irreparable loss and injury. If these three tests are applied, the Appellant fails to even pass the first test.

9. Moreover, the Appellant will not suffer any irreparable loss and injury for which he cannot be compensated later on, hence no ground for interfere. Accordingly, the present Appeal is dismissed.

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

ANIL KSHETARPAL, J

HARISH VAIDYANATHAN SHANKAR, J

DECEMBER 24, 2025

sk/va