



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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CWP-11324-2026

Date of Decision: 16.04.2026

GAURAV GUPTA

...Petitioner

Vs.

KAVITA HOODA AND OTHERS

...Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Gaurav Gupta, petitioner-in person (*through V.C.*)

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking issuance of writ in the nature of mandamus or other writ/order/instruction/direction to Family Court, Rohtak to provide reasons for not passing orders in accordance with law laid down by Hon'ble Supreme Court.

2. As per petition, the petitioner solemnized marriage with respondent No.1-Kavita Hooda on 12.12.2005. Two children were born out of this wedlock. Respondent No.1 along with her son has separated from petitioner and girl child. Respondents No.1 and 2 filed petition under Section 125 Cr.P.C. before Family Court seeking maintenance. The Family Court by order dated 21.04.2025 declined prayer of respondent No.1-wife, however, ordered the petitioner to pay a sum of Rs.10,000/- per month to his son. As per petitioner, the Family Court has not considered judgments of Hon'ble Supreme Court while passing order dated 21.04.2025.

3. Petitioner who is present in person submits that Family Court has not considered judgments cited by him which amounts to violation of principles of natural justice and writ petition is maintainable. He is claiming that Court should explain reasons for not considering judgment cited by him. He had cited many judgments whereas Family Court has not considered any judgment and passed aforesaid order.

4. On being asked, petitioner confirmed that he is a Law Graduate and registered with Bar Council, however, refused to disclose name of Bar Council with which he is registered on the ground that it is irrelevant for the present case.

5. On being pointed out, he states that writ petition is maintainable because Family Court has not dealt with judgments cited by him which amounts to violation of principles of natural justice.

6. Heard the arguments and perused the record.

7. From the perusal of paperbook, it is evident that petitioner has collected many judgments of Hon'ble Supreme Court and quoted few paragraphs of those judgments. He claims that Family Court has not considered those judgments, thus, writ petition is maintainable. He is not seeking setting aside of order passed by Family Court whereas claiming that Family Court has failed to explain as to how judgments cited by him are not applicable. From the perusal of impugned order, it is evident that Family Court noted few judgments of Supreme Court and rejected his wife's claim *qua* maintenance under Section 125 Cr.P.C. The Family Court has awarded maintenance to minor son who is staying with petitioner's estranged wife.

8. This is second writ petition which petitioner has filed. The earlier *CWP-28947-2025* was dismissed vide order dated 08.04.2026. The said petition also arose out of proceedings pending before the Family Court. While passing said order, it was noticed that prayer of the petitioner is very strange. Similar is in the present petition. The petitioner claims that the Family Court was bound to consider all the judgments cited by him and writ petition is maintainable because the Family Court failed to consider those judgments. The petitioner has alternative remedy to challenge order passed by Family Court. He is not interested in setting aside of order of Family Court but wants findings of this Court that Family Court ought to deal with judgments cited by him. This is a case of total wastage of valuable time of the Court. Like previous case, the prayer made in the present case is obnoxious. The petitioner is having alternative remedies still repeatedly filing writ petitions.

9. In the backdrop the petition stands dismissed with costs of Rs.1,000/- to be deposited in the Legal Services Authority, Rohtak.

10. Pending application(s), if any, stands disposed of.

(JAGMOHAN BANSAL)
JUDGE

April 16, 2026
Deepak DPA

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No