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

+ **CM(M) 262/2026 & CM APPL. 7251/2026 (Stay)**

SONALI SINGHAL

.....Petitioner

Through: Mr. Prashant Mendiratta, Mr. Rohit
G. & Ms. Vaidhi Chaudhary, Advs.
with petitioner in person.

versus

SACHIN SINGHAL

.....Respondent

Through: Mr. Inder Bir Singh, Adv. (through
VC).

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **03.02.2026**

1. This hearing has been done through hybrid mode.

CM APPL. 7252/2026 (Exemption)

2. Allowed, subject to all just exceptions. The application is disposed
of.

CM(M) 262/2026 & CM APPL. 7251/2026 (Stay)

3. The present petition under Article 227 of the Constitution of India seeks
the following prayers:-

“(a). Requisition the complete judicial record from the Court of
Ms. Namrita Aggarwal, Ld. Judge, Family Court, South East
District, Saket Courts, New Delhi in HMA No.1242/2019 titled as
"Sachin Singhal vs Sonali Singhal";

(b). Allow the instant petition and set aside the impugned order
dated 31.01.2026 (wrongly typed date appears in the order to be
dated 19.09.2025) passed by the Court of Ms. Namrita Aggarwal,
Ld. Judge, Family Court, South East District, Saket Courts, New



Delhi in HMA No.1242/2019 titled as "Sachin Singhal vs Sonali Singhal".

(c). Pass any such order or further orders as this Hon'ble Court may deem fit and proper under the facts and circumstances of the case.”

4. Vide impugned order dated 31.01.2026, the learned Family Court dismissed an application on behalf of the petitioner herein seeking adjournment of the proceedings *sine die*. The said application was preferred on behalf of the petitioner on the ground that despite maintenance order being passed in proceedings under Section 125 of the Cr.P.C., the same are not being complied by the respondent herein. The learned Family Court after hearing arguments on both the sides, chose to dismiss the application by observing as under:-

“8. Perusal of the judgment relied upon by Id. Counsel for the respondent shows that in all those judgments and orders of the Ld. Family Courts. proceedings till the payment of interim maintenance were stayed only because the order of interim maintenance was passed in the same proceedings in which divorce was sought by the husband against the wife. It has been observed by the Ld. Courts in the judgment relied upon by the Id. Counsel for the respondent that " the court /las inherent powers to stop further proceedings. which were commenced by the husband". However, in the present case there is no order of interim maintenance which was passed by this court directing the husband to pay maintenance during the pendency of the present proceedings to the wife. Thus, since there is no disobedience of any order of the court by the husband in the present case, therefore no ground is made out for staying or adjourning the present proceedings sine-die. Since the husband is not complying with the judgment of this court passed in a separate maintenance case pending between the same parties, the wife is at liberty to move an appropriate execution petition for enforcement of judgment dated 27.10.2025.

9. Thus, no ground is made out for allowing the present



application and the application is dismissed as rejected.”

5. Learned counsel appearing on behalf of the petitioner submits that an application under Section 24 of the HMA is still pending adjudication before the learned Family Court and drew the attention of this court to an order dated 14.03.2019 whereby the predecessor of the learned Family Court passed the following directions:-

As already discussed vide order dated 30.08.2017 this Court has not disposed the application u/s 24 HMA filed by respondent and technically same is pending. The Court has only observed that in view of the interim maintenance order in DV Act matter, this application does not require any adjudication. But no order was passed disposing this application.

Perused the judgments relied upon by both the parties. In ***Richa Arya Vs. State of NCT of Delhi (Supra)***, relied upon ***Juveria Abdul Mazid Khan Patni Vs. Atif Iqbal Mansoori (2014) 10 SCC 736*** the Apex Court has observed that monetary relief as stipulated in DV Act is different from maintenance which can be claimed u/s 125 Cr.P.C. or any other law. "

In view of the aforesaid reasons, the application moved by respondent is allowed condoning the delay in moving this application.

Accordingly, put up for arguments on 24 HMA and further proceedings on 10.04.2019.”

6. It is submission of learned counsel for the petitioner that application under Section 24 of the HMA is still not decided.

7. Learned counsel appearing on behalf of the respondent, on advance notice submits that vide order dated 18.02.2025, the learned Single Judge in CM (M) 338/2025 passed directions to decide the petition under HMA by learned Family Court as expeditiously as possible preferably within a period



of one year. It is further submitted that the same learned Family Court has already decided the proceedings under Section 125 of the Cr.P.C. awarding permanent maintenance to the present applicant and therefore, the impugned order deserves no interference.

8. Heard learned counsel for the parties and perused the records.

9. This Court finds no legality in the order passed by learned Family Court inasmuch as the application on which the order was passed, only sought adjournment of the proceedings *sine die*.

10. In these circumstances, as pointed out in the aforesaid order, there was no ground to do the same.

11. However, it is apparent that an application under Section 24 of the HMA is still pending adjudication before the learned Family Court, which had been listed for hearing *vide* order dated 14.03.2026.

12. Learned counsel for the respondent has no objection if the said application is decided before proceedings for final arguments in the present proceedings.

13. In these circumstances, the present petition is disposed of with a request to learned Family Court to decide the application under Section 24 of the HMA on behalf of the petitioner before proceeding to hear the final arguments.

14. The parties point out that the matter is listed today for final arguments. Both the parties shall request the learned Family Court to adjourn the proceedings in view of the order passed.

15. No further directions are called for.



16. Order be uploaded on the website of this Court, *forthwith*.

AMIT SHARMA, J

FEBRUARY 3, 2026/nk/ah