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

+ **MAT.APP.(F.C.) 59/2026**

MEENAKSHI KABRAAppellant

Through: *Appearance not given*

versus

KAPIL KABRARespondent

Through: Mr. Apoorv Kurup, Sr. Adv.
with Mr. Dhruv Sharma, Mr.
Vardaan Wanchoo, Mr. Ritwik
Mohapatra, Ms. Priya Patel &
Ms. Nidhi Mittal, Advs.

CORAM:

HON'BLE MR. JUSTICE VIVEK CHAUDHARY

HON'BLE MS. JUSTICE RENU BHATNAGAR

ORDER

% **19.02.2026**

CM APPL. 11563/2026 (Exemption)

1. Allowed, subject to all just exceptions.
2. Accordingly, the application stands disposed of.

**MAT.APP.(F.C.) 59/2026 & CM APPL. 11561/2026 (Stay), CM
APPL. 11562/2026**

3. The present appeal has been filed under Section 19 of the Family Courts Act, 1984, read with Order XLIII Rule 1(r) of the Code of Civil Procedure, 1908 (hereinafter referred to as "CPC") against the Order dated 11.02.2026 passed by the learned Judge, Family Court-01, South West District, Dwarka, New Delhi (hereinafter referred to as "Family Court") claiming the following reliefs:



“a) set aside the Impugned Order dated 11.02.2026 passed by Ms. Niyay Bindu, Judge, Family Court-01, Dwarka in CS No.38/2025 titled as “Meenakshi Kabra vs Kapil Kabra”;

b) restrain the Respondent and/or any other person acting on his behalf in proceeding with and/or prosecuting the Complaint for Divorce/Dissolution based on Irreconcilable Differences i.e. Docket No. FM-18-293-26 titled “Kapil Kabra vs Meenakshi Kabra” filed by the Respondent before the Superior Court of New Jersey, Chancery Division-Family Part, Somerset County pending hearing and decision in the Application under Order XXXIX Rule 1 & 2 CPC filed by the Appellant in CS No.38/2025;

c) Pass any further orders as this Hon'ble Court deems fit in the facts of the present matter.”

4. The learned counsel for the respondent, who appears on advance notice, has challenged the maintainability of this appeal stating that the impugned order is an interlocutory order against which no appeal lies.

5. During the course of the submissions, the learned counsels for both the parties have stated that the next date fixed before the learned Family Court for disposal of the interim application filed by the appellant under Order XXXIX Rule 1 and 2 of the CPC is 30.03.2026.

6. Learned counsels for both the parties agree that the said date be preponed and that the respondent shall file reply to the said interim application within a period of two weeks and the appellant shall file rejoinder thereto, if any, within a period of one week thereafter, before



the learned Family Court.

7. Further, learned counsels for both the parties undertake that they shall argue the matter on the next date fixed before the learned Family Court without any unnecessary adjournments.

8. In view thereof, the date fixed before the learned Family Court is preponed to 19.03.2026 on which date, the learned Family Court is requested to hear and dispose of the said interim application filed by the appellant under Order XXXIX Rule 1 and 2 of the CPC.

9. Till 19.03.2026, the respondent is restrained from proceeding with the matter pending before the Superior Court of New Jersey, Chancery Division- Family Part, Somerset County, (hereinafter referred to as “the U.S. Court”) in Docket No. FM-18-293-26 titled as ***Kapil Kabra vs Meenakshi Kabra*** and to inform the U.S. Court about this order and the pendency of the proceedings before the learned Family Court.

10. The present appeal along with pending applications stand disposed of in the aforesaid terms.

VIVEK CHAUDHARY, J

RENU BHATNAGAR, J

FEBRUARY 19, 2026 /pr/SM