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

+ **CM(M) 517/2026 & CM APPL. 15623/2026**

MS ROYA SHAMS

.....Petitioner

Through: Mr. S.K. Sharma and Mr. Jiten
Sharma, Advocates along with
petitioner in person.

versus

MR SYED MOHAMMAD ALI

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

13.03.2026

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1. This hearing has been done through hybrid mode.

CM APPL 15624/2026 (Exemption)

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

CM(M) 517/2026 & CM APPL. 15623/2026

3. The present petition under Article 227 of the Constitution of India, 1950, seeks following prayers:-

“a) Stay the pronouncement of judgment in Divorce Petition No. 62 of 2018 pending before the LD - judge Family Court, Saket Court, New Delhi till payment of all dues pending for maintenance are cleared by the respondent.

b) Pass any other order deemed fit in the interest of justice.”

4. Learned counsel for the petitioner places reliance upon a judgment of the Hon'ble Kerala High Court in **Maximus Fernandez v. Olga Fernandez**,



2018 SCC OnLine Ker 3479: (2018) 4 KLT 709.

5. After some arguments, learned counsel of the petitioner seeks leave of this Court to withdraw the present petition, with liberty to move an appropriate application before the learned Family Court in accordance with law.
6. The present petition is dismissed as withdrawn and disposed of accordingly.
7. Needless to state that on an application being moved before the learned Family Court, the same shall be decided in accordance with law.
8. Pending application(s), if any, also stands disposed of.
9. Copy of the order be sent to learned Judge, Family Court-02, South-East, Saket, Delhi, for necessary information and compliance.
10. Copy of this order be given *dasti* under signature of Court Master of this Court.
11. Order be uploaded on the website of this Court, *forthwith*.

AMIT SHARMA, J

MARCH 13, 2026/bsr