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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **MAT.APP.(F.C.) 259/2024, CM APPL. 46733/2024, CM APPL. 46735/2024 & CM APPL. 6866/2025**

M K GUPTA @ MAHENDER KUMAR GUPTAAppellant

Through: **Mr. Shannu Baghel with Ms. Sonam Tomar, Advs.**

versus

RAHUL GUPTA & ANR.Respondents

Through: **None.**

CORAM:

HON'BLE MR. JUSTICE VIVEK CHAUDHARY

HON'BLE MS. JUSTICE RENU BHATNAGAR

ORDER

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28.04.2026

1. The present appeal has been filed under Section 19 of the Family Courts Act, 1984, for setting aside the ex-parte Judgment dated 14/02/2024 passed by the learned Principal Judge, Family Court, North West District, Rohini, Delhi in Maintenance Case No. 57403/2016, titled as ***M.K. Gupta vs. Rahul Gupta & Others***, whereby the learned Judge dismissed the maintenance petition under Section 125(d) Criminal Procedure Code, 1973 (Cr.P.C.).
2. Since the impugned order has been passed under Section 125 Cr.P.C., a criminal revision is maintainable for assailing the same.
3. In view thereof, the appellant is permitted to withdraw the present appeal with liberty to file a criminal revision before the appropriate Court, in



accordance with law.

4. With the aforesaid liberty, the appeal stands disposed of.
5. Pending application(s), if any, also stands disposed of.

VIVEK CHAUDHARY, J

RENU BHATNAGAR, J

APRIL 28, 2026

yk/tr