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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **MAT.APP.(F.C.) 366/2025&CM APPL. 63901/2025**
DR. PRANAV JAINAppellant

Through: Mr. Jitendra Mohan Sharma, Sr. Adv.
with Mr. Akshat Sharma, Mr. Shrey
Bhardwaj, Mr. Amrit K.N. Pradhan,
Advs.

versus

DR. DIVYA JAINRespondent

Through: Mr. Gaurav Sarin, Sr. Adv. with Mr.
Sanjay Vashishtha, Mr. Siddhartha
Goswami, Mr. Krish Bhatia and Mr.
Harish Kumar, Advs.

CORAM:
HON'BLE MR. JUSTICE VIVEK CHAUDHARY
HON'BLE MS. JUSTICE RENU BHATNAGAR

ORDER
20.05.2026

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1. The present appeal under Section 19(3) of the Family Courts Act, 1984 assails the judgment and decree dated 30.08.2025 passed by the learned Judge, Family Court-02 (West), Tis Hazari Courts, Delhi in HMA No. 541/2022, whereby the marriage between the parties came to be dissolved by a decree of divorce in favor of the respondent/wife.
2. The learned senior counsel for the appellant/husband submits that the divorce is granted, primarily, on the following three grounds:
 - i. Substance abuse by the appellant;
 - ii. Extra marital relationship of the appellant; and
 - iii. False and defamatory allegations made by the appellant against the respondent/wife, in the divorce proceedings, with regard to her



conduct, specifically excessive consumption of alcohol by the respondent, which were held to constitute mental cruelty.

3. At the very opening of hearing, learned senior counsel for the appellant submits that although the appellant has a good case with respect to ground nos. 1 and 2 i.e. addiction and extra-marital relationship of the appellant, he is not in a position to effectively assail the grounds no. 3 which relate to the allegations concerning consumption of alcohol by the respondent/wife, which has been held to have adversely affected the dignity and mental well-being of the respondent and, consequently, to constitute cruelty.

4. In view of the aforesaid fair concession made on behalf of the appellant that the decree of divorce would be sustainable on the ground no. 3, this Court does not consider it necessary to examine the merits of findings of aforesaid ground nos. 1 and 2 as returned by the learned Family Court.

5. Accordingly, the present appeal stands disposed of and the decree of divorce is affirmed solely on ground no. 3 i.e. the false allegations relating to consumption of alcohol and its impact upon the dignity and mental well-being of the respondent constituting cruelty. The impugned judgment and decree shall stand modified to the limited extent that the dissolution of marriage between the parties is granted on the aforesaid ground no. 3.

6. At this stage, learned senior counsel appearing for the appellant submits that the appellant has made the entire payment towards the fee of the Local Commissioner appointed by the learned Family Court for recording of evidence. In response thereto, learned senior counsel appearing for the respondent, on instructions, undertakes that the respondent shall pay a sum of Rs.1,25,000/- to the appellant towards his share of the said expenses within a period of 10 days from today. Let the needful be done accordingly.



7. Pending application(s), if any, also stand disposed of.

VIVEK CHAUDHARY, J

RENU BHATNAGAR, J

MAY 20, 2026/r/kp