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

+ **FAO 344/2025, CM APPLs 78494-95/2025**

RITIE KAPOOR & ANR

.....Appellants

Through: Mr. Ajay Kumar Chopra, Mr. Mudit
Talesara and Ms. Shelly Jain,
Advocates.

versus

SAURABH ARORA & ANR

.....Respondents

Through: Mr. Arjun Syal, Mr. Raghuveer
Kapur, Mr. Sagar Aggarwal and Mr.
Naman Verma, Advocates.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

09.01.2026

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1. By way of present appeal filed under Order XLIII Rule 1(R) CPC, the appellant seek to assail the order dated 03.12.2025 passed by the learned District Judge-05, New Delhi District, Patiala House Courts, in CS No.132/2025 titled 'Ritie Kapoor & Anr. v. Saurabh Arora & Anr.' whereby the learned Trial Court had dismissed the application filed under Order XXXIX Rule 1 & 2 CPC filed by the appellants, who were plaintiffs before the learned Trial Court.
2. Learned counsel appearing for the appellants submits that the appellant no.1 is the wife of respondent no.1.
3. Furthermore, learned counsel for both the parties submit that the dispute inter se parties is pending before the learned Family Court wherein an application seeking visitation and guardianship rights are pending



consideration.

4. The matter was passed over for the learned counsels to obtain instructions. After passover, learned counsel for the respondents, upon seeking instructions from the respondent, who has also joined the proceedings through VC, states that the respondents, without prejudice to their rights and contentions in the pending proceedings and subject to any order passed in the allied proceedings, would not visit the address of the appellants. Learned counsel for the appellants also, upon seeking instructions from the appellant no. 1, states that the appellant no. 1 would also not visit the residence of the respondent no. 1.

5. It is clarified that the aforesaid is only a working arrangement between them, and the same is also subject to any judicial order that may be passed by any Court. It is further clarified that this Court has not adjudicated upon any of the rival contentions of the parties.

6. The appeal, along with pending applications, stands disposed of in above terms.

MANOJ KUMAR OHRI, J

JANUARY 9, 2026/rd