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

% **Date of Decision: 15th May, 2025**

+ **CM(M) 143/2025 & CM APPL. 4274/2025**

SHASHI

.....Petitioner

Through: Mr. Prateek Kumar with Ms. Aarushi Jain, Mr. Yojit Pareek, Ms. Ankita and Mr. Prasant Kumar Sharma, Advocates.

versus

ARYA KUMAR

.....Respondent

Through: Mr. Suresh Chandra with Mr. Rinendra Kumar, Advocates.

Through: None.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. Petitioner is defending a petition filed by her husband, whereby he seeks divorce.
2. When the matter was at the stage of cross-examination of her husband, the petitioner herein i.e. wife, refused to cross-examine the witness on the premise that her application with respect to grant of interim maintenance under Section 24 of Hindu Marriage Act, 1955 had yet not been decided.
3. Learned Trial Court, keeping in mind the overall facts of the case and after hearing both the sides, closed her right to cross-examine PW1.
4. Such order dated 19.12.2024 is under challenge.
5. Learned counsel for respondent/husband has appeared on advance notice.
6. The parties are also present in person.
7. After hearing both the parties and with the consent of learned counsel for both the parties, the present petition is disposed of with direction to learned Trial Court to give one opportunity to petitioner herein to cross-examine PW 1.



8. The next date of hearing before the learned Trial Court is stated to be 30.05.2025.
9. After ascertaining the availability of both the parties and the convenience of the witness, the learned Trial Court would be at liberty to fix up a date for the purposes of such cross-examination and it is expected that on such date, counsel for the petitioner ensures that cross-examination takes place.
10. It has been brought to notice of this Court that earlier, during pendency of the abovesaid petition, the learned Trial Court had directed *ad-interim* maintenance @ Rs.3,000/- per month per child.
11. It is submitted that there are certain arrears even with respect to the abovesaid direction.
12. It is also submitted that application moved under Section 24 of Hindu Marriage Act, 1955 has yet not been decided.
13. The abovesaid divorce petition was filed way back in the year 2014.
14. This Court is also of the view that the abovesaid application should have been given requisite priority and, therefore, the learned Trial Court would make best endeavour to decide the abovesaid application, as expeditiously as possible. Needless to say, both the parties shall give requisite assistance in this regard to the learned Trial Court.
15. The petition stands disposed of in aforesaid terms.
16. Pending application also stands disposed of in aforesaid terms.

(MANOJ JAIN)
JUDGE

MAY 15, 2025/st/js