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

+ CM(M) 1475/2026 & CM APPL. 44035/2026 (Stay)

Date of decision: 15.07.2026

PRIYANKA KUMARI

.....Petitioner

Through: Mr. Sanjay Verma & Ms.
Siddhi, Advs.

versus

AJAY KUMAR

.....Respondent

Through: Mr. Rohit Singh & Mr. Ashish
Rohilla, Advs.

CORAM:

**HON'BLE MR. JUSTICE HARISH VAIDYANATHAN
SHANKAR**

% **JUDGEMENT (Oral)**

1. In view of the fact that the lawyers are abstaining from work today, the learned counsel for the parties were specifically queried whether they are willing that the matter be taken up for hearing. Upon their consent, the present matter was taken up for hearing.

2. The present Petition has been filed under Article 227 of the Constitution of India, 1950, seeking to quash and set aside the Order dated 24.04.2026¹, passed by the learned Judge, Family Court-01, South West, Dwarka, New Delhi², in HMA No. 2954/2025, titled as "*Ajay Kumar v. Priyanka Kumari.*"

3. Learned counsel appearing on behalf of the Petitioner submits that the Impugned Order is manifestly erroneous since the learned

¹ Impugned Order



Family Court has relied upon a Summon Report dated 24.11.2025 which, according to the Petitioner, is factually incorrect and does not pertain to the address of the Petitioner.

4. Elaborating the aforesaid submission, learned counsel for the Petitioner contends that the Summon Report pertains to a property bearing No. C-136, S/F, Kh. No. 498, Block C, Rama Park, Uttam Nagar, New Delhi-110059³ and it is only co-incidentally that the Court staff official, while visiting the above-mentioned address to ascertain the facts, happened to meet a person claiming to be the landlord of the adjacent property bearing No. C-136-A, Kh. No. 498, Block C, Rama Park, Uttam Nagar, New Delhi-110059⁴, who stated that the Petitioner and the Respondent were residing on the second floor of C-136-A as tenants.

5. Learned counsel for the Petitioner further submits that the conclusion drawn by the learned Trial Court in the Impugned Order is incorrect since the memo of parties specified the address to be C-136 and not C-136-A.

6. Learned counsel for the Petitioner, in this regard, also places reliance upon a document, which is stated to contain the statement given by Mr. Anil Aggarwal, husband of Shashi Aggarwal, being the landlady of C-136-A.

7. Upon being repeatedly queried as to the evidentiary value of the aforesaid document, which is claimed to be the true statement of the husband of the landlady, learned counsel for the Petitioner submits that the aforesaid document has been obtained by the Petitioner to

² learned Family Court

³ C-136

⁴ C-136-A



substantiate her case that she was not residing at C-136-A.

8. He further submits that the findings returned by the learned Family Court are based upon an incorrect appreciation of the factual position and, therefore, warrant interference by this Court in exercise of its supervisory jurisdiction under Article 227 of the Constitution of India.

9. This Court has heard the learned counsel for the Petitioner and, with his able assistance, perused the material placed on record.

10. A perusal of the record and the foregoing submissions indicates that the principal challenge sought to be raised before this Court pertains to the appreciation of the factual material relied upon by the learned Family Court while passing the Impugned Order.

11. This Court is of the considered view that, adjudication upon the aforesaid challenge, as raised in the present Petition, would require an examination of the evidentiary value of the Summons Report, the distinction between the two premises referred to by the Petitioner, as well as the authenticity and probative value of the document, which allegedly records the statement of the husband of the landlady of C-136-A.

12. The contours of the jurisdiction under Article 227 of the Constitution of India are well settled. The jurisdiction is supervisory in nature and is intended to ensure that subordinate courts act within the bounds of their authority. It is not an appellate jurisdiction permitting this Court to undertake a fresh appreciation of disputed questions of fact or substitute its own view merely because another view may also be possible.

13. Accordingly, the submissions advanced by the learned counsel



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for the Petitioner, seeking re-appreciation of all the afore-stated factual matters, do not, at this stage, inspire the confidence of this Court. All of these matters fall squarely within the domain of appreciation of facts by the learned Family Court and would not justify interference by this Court, in exercise of the supervisory jurisdiction under Article 227 of the Constitution of India, 1950.

14. In view of the foregoing discussion, this Court finds no jurisdictional error, patent perversity or manifest illegality in the Impugned Order warranting interference in exercise of the supervisory jurisdiction under Article 227 of the Constitution of India, 1950.

15. Accordingly, the present Petition, being devoid of merit, is dismissed.

16. Resultantly, the present Petition, along with pending Application(s), if any, stands disposed of in aforesaid terms.

HARISH VAIDYANATHAN SHANKAR, J.
JULY 15, 2026/v/jk/ma