

ITEM NO.27 Court 4 (Video Conferencing) SECTION IX

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 4138-4139/2017

(Arising out of impugned final judgment and order dated 11-07-2016 in WP No. 7370/2016 06-12-2016 in WP No. 7370/2016 06-12-2016 in CA No. 2389/2016 passed by the High Court Of Judicature At Bombay)

HARSH GOPAL KHANDELWAL THR. P.O.A GOPAL
PRASAD GOVERDHANLAL GUPTA

Petitioner(s)

VERSUS

AARTI HARSH KHANDELWAL @ AARTI AGRAWAL

Respondent(s)

(IA No. 35371/2021 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 41248/2021 - CLARIFICATION/DIRECTION
IA No. 71441/2018 - CLARIFICATION/DIRECTION
IA No. 127255/2020 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES)

Date : 09-08-2021 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE MR. JUSTICE SANJIV KHANNA

For Petitioner(s)

Mr. Rakesh Kr. Khanna, Sr. Adv
Mr. Ajay Choudhary, AOR

For Respondent(s)

Mr. Nikhil Goel, AOR
Ms. Naveen Goel, Adv
Mr. Vinay Mathew, Adv

UPON hearing the counsel the Court made the following
O R D E R

We decline to interfere in these Special Leave
Petitions as the parties have not been able to arrive at
an amicable settlement which was the purpose of issuing

limited notice on 03.02.2017. The Special Leave Petitions are dismissed accordingly.

The grievance of the petitioner that the quantum of maintenance amount is on the higher side and not in conformity with the actual income of the petitioner can be agitated before the High Court where the writ petition is pending. It is submitted that there is change in circumstances. The High Court may consider that contention on its own merits and in accordance with law.

The High Court may also consider the grievance of the respondent that the petitioner has failed to pay the determined maintenance amount, despite the fact that he was in a position to do so, at the relevant point of time.

The Special Leave Petitions are disposed of accordingly.

Pending applications, if any, stand disposed of.

(DEEPAK SINGH)
COURT MASTER (SH)

(VIDYA NEGI)
COURT MASTER (NSH)