

HIGH COURT OF DELHI
Sher Shah Road
New Delhi-110 503
Off. : 23387981
Fax : 23073485

No. 2245/RG/DHC/2017
Dated: 20.12.2017

To

1. The District & Sessions Judge (HQs)
Tis Hazari Courts,
New Delhi

2. The Principal Judge (HQs)
Family Court,
Dwarka,
New Delhi

2768
20 DEC 2017

Sub: Compliance of direction dated 06.12.2017 passed in FAO 369/1996 by Hon'ble Mr. Justice J.R. Midha.

Sir,

It is bring to your kind notice that for the expeditious hearing and disposal of maintenance applications under Section 24 of Hindu Marriage Act which empowers the Court to award maintenance pendente lite and litigation expenses to a party, the Hon'ble Court has laid down the guidelines vide judgments dated 14.01.2015 and 29.05.2017 (copies enclosed) and thereafter on receiving valuable suggestions from Family Court and learned amicus curiae and on careful consideration of the suggestions the Hon'ble Court vide order dated 06.12.2017 (copy enclosed) was pleased to direct that the affidavit of assets, income and expenditure should be filed simultaneously by both the parties, after completion of pleadings in the maintenance application, to avoid any undue advantage to the party who files his/her affidavit of assets, income and expenditure later and the simultaneous filing of the affidavit after the completion of the pleadings in the maintenance application would also give reasonable time to the parties to prepare their affidavits and compile the relevant documents and would avoid the delays.

In compliance of the above said order, District and Sessions Judge (HQs) and Principal Judge (HQs), Family Courts are requested to communicate this order to all District & Sessions Judges and Principal Judges, Family Courts to upload the modified formats of affidavit of assets, income and expenditure and its Hindi translation on the website of District Courts/ Family Courts and are also displayed on their Notice Board by 21st December, 2017 (Annexure A1). The Family Courts shall also display on their Notice Board by 21st December, 2017 that the affidavit of assets, income and expenditure is not mandatory to be filed along with petition or written statement. The Court shall immediately remove the endorsement directed to be incorporated in the summons vide judgment dated 29th May, 2017. It is further informed you that the above said modified directions are to be implemented w.e.f. 01st January, 2018.

You are further requested to obtain Certificates from all District & Sessions Judges and, Principal Judges, Family Court under your control with regard to compliance of the above said directions and send the said certificate to this Court forthwith for being placed before the Hon'ble Court.

Regards,

Yours sincerely

(Sinesh Kumar Sharma)

Be sent to OSD (Computers) & Care taking KK Dte to send the compliance requisite certificate to this office immediately, for 22/12/17 onward transmission to the Hon'ble High Court of Delhi. Ld. P.O. Tis Hz.

MOST URGENT

OFFICE OF DISTRICT & SESSIONS JUDGE (HQs) : DELHI

No. 8921–0 24 /D&SJ(HQs)/Gaz/2017 Dated: 21 DEC 2017

Copy forwarded with the request to issue directions to comply with the order dated 06.12.2017 of the Hon'ble High Court of Delhi and send the requisite Certificates with regard to compliance of the given directions, (enclosures may be downloaded from the Delhi District Court website) to this office at the earliest for onward transmission to Hon'ble High Court of Delhi, New Delhi to :

1. The District & Sessions Judges, all court complexes, Delhi/ New Delhi.
2. The Principal Judge, Family Court (Central), THC, Delhi.
3. Notice Board.

(PALWANT SINGH)
District & Sessions Judge (HQs)
Delhi