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

CNR No. DLHC010175182026

+ **CM(M) 920/2026 & CM APPL. 27183/2026 (Stay)**

SMT.NITA GUPTA Petitioner

Through: **Mr. Vikas Kumar Bhardwaj,**
Advocate.

versus

SH.DEEPAK GUPTA Respondent

Through: **Mr. Ravi Tikania, Advocate.**

CORAM:
HON'BLE MR. JUSTICE HARISH VAIDYANATHAN
SHANKAR

ORDER
01.09.2026

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1. The present Petition filed under Article 227 of the Constitution of India, 1950 seeks the following prayers:

- "i. set aside and quash the impugned order dated 9.3.2026 whereby the Hon'ble Court of Sh. Manish Gupta, Judge, Family court-01, Distt. West, Tis Hazari Courts, Delhi has been pleased to dismiss the application u/s.151 C.P.C moved by the appellant/wife for recalling order dated 17.10.2025 and for allowing the appellant to cross-examine the respondent/ husband in H.M.A. No.676/2017, titled as, "Deepak Gupta Vs. Nita Gupta",
- ii. The respondent/husband may kindly be ordered to be recalled for his further cross-examination, in the interest of justice."

2. Learned counsel appearing on behalf of the parties are *ad idem* that last and final opportunity may be granted to the Petitioner to cross-examine the Respondent.

3. Learned counsel appearing on behalf of the Petitioner, on instructions, submits that the next date of hearing for further proceedings, before the learned Family Court-01, West District, Tis



Hazari Courts, Delhi [***“learned Trial Court”***] in H.M.A. No.676/2017, titled as ***“Deepak Gupta Vs. Nita Gupta”***, is 11.09.2026 and on that date the cross-examination shall be concluded by the Petitioner.

4. Learned counsel for the Petitioner further undertakes that no adjournment will be sought by him on the aforesaid date of hearing and the cross-examination will be concluded, positively.

5. Learned counsel for the Petitioner, on instructions, also undertakes that the Petitioner shall pay costs of Rs. 10,000/- to the Respondent, on 11.09.2026 *i.e.*, the next date of hearing before the learned Trial Court, for the inconvenience that has been caused to the Respondent.

6. The present Petition, along with pending Application(s), if any, stands disposed of in aforementioned terms.

HARISH VAIDYANATHAN SHANKAR, J.
SEPTEMBER 01, 2026/tk/DJ