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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CM(M) 997/2016 & C.M. Nos.36397/2016 & 36398/2016
ANUPAM CHAUHAN

..... Petitioner

Through Petitioner in person.
versus

VINITA

..... Respondent

Through None.

CORAM:
HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

% **25.11.2016**

Matter has been called twice. At the first call request for pass-over has been made. Counsel for the petitioner has not appeared at the second call.

By the impugned order, the non-applicant/respondent had been permitted to file written statement. The submission of the petitioner that the defence of the respondent should have been struck off had not been resorted to; written statement was taken on record subject to payment of costs of Rs.1,000/-. No doubt that there was a delay in filing the written statement but the Court had noted that this is a matrimonial litigation inter-se the parties; the non-applicant could not engage a counsel for a long period of time because of paucity of funds. She finally engaged her counsel at a later point of time but even then there appears to be delay in filing of written statement which was attributable to the fact that the respondent was suffering not only from financial constraint but also that the negligence on the part of her lawyer should not be imputed as a negligence on the party;

also noting the nature of proceedings, the impugned order has been passed taking on record the written statement. This order suffers from no infirmity.

Petition is without any merit. Dismissed.

INDERMEET KAUR, J

NOVEMBER 25, 2016

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