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

+ CM(M) 1196/2016

PERRY KANSAGRA

..... Petitioner

Through Mr.P.D.Gupta, Sr. Adv. with
Mrs.Inderjeet Saroop and Mr. Raghav
Saroop, Advocates.

versus

SMRITI MADAN KANSAGRA

..... Respondent

Through Ms.Mansi Sharma, Advocate.

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

% **23.11.2016**

Contention in this petition is that the case of the petitioner which is a guardianship petition bearing no.53/2012 titled Perry Kansagra Vs. Smriti Kansagra is pending since 2012 but it has not been effectively dealt with. His submission is that his affidavit by way of evidence in the aforementioned proceedings had been filed on 29.01.2015 and thereafter only on two dates he has been cross-examined in part i.e. on 14.12.2015 and on 03.10.2016. His submission is that after 03.10.2016 the matter has been adjourned to 21.3.2017. The date is long. Submission being that the petitioner is a resident of Kenya and although he has visitation rights entitling him to meet his child on every second Saturday and Sunday (once a month) he does come to India every month. His additional submission on this count being that the matter should be expedited

and the petitioner should be given shorter dates in order that the matter can be concluded which is pending since 2012.

Learned counsel for respondent has put in appearance. Her submission is that this delay is not on the part of the respondent.

Be that as it may, noting the order sheets as also the admitted position that the affidavit by way of evidence of the petitioner had been filed on 29.01.2015 as also keeping in view the object of the Family Courts Act, 1984 which definitely is to ensure a speedy trial; this Court is of the view that endeavour of the Family Court Judge shall be to dispose of this petition expeditiously after the next date of hearing which is 21.3.2017. Learned Family Court Judge as per diary may accommodate the parties on a shorter date. Let the Family Court Judge will ensure that on 21.3.2017 an effective cross-examination of PW-1 is carried out. The respondent is present. She also undertakes not to take any adjournment on 21.3.2017.

Petition disposed in the above terms.

Order dasti under signatures of the Court Master.

INDERMEET KAUR, J

NOVEMBER 23, 2016

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