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

+ CM (M) 242/2017 and CM Appln. 15496/2017

AMIT GUPTA

..... Petitioner

Through: Mr. S.C. Singhal, Advocate.

versus

RUCHIKA GUPTA

..... Respondent

Through: Mr. P.D. Gupta, Mr.G.C. Rawal,
Mr.R.K. Seewal, Advocates.

CORAM:

HON'BLE MR. JUSTICE J.R. MIDHA

ORDER

% **18.05.2017**

1. The petitioner filed a petition for divorce on the ground of cruelty and desertion on 3rd January, 2011 which is pending at the stage of cross-examination of the petitioner.
2. Learned counsel for the petitioner submits that the petitioner is paying maintenance of Rs.40,000/- per month and the respondent is deliberately delaying the proceedings which is causing serious prejudice to the petitioner. The petitioner is seeking expeditious hearing of the proceedings before the Family Court.
3. Learned counsel for the respondent has no objection to the expeditious hearing before the Family Court. Learned counsel, however, submits that the respondent has filed application under Order 12 Rule 6 of the Code of Civil Procedure which is to be taken up before the cross-examination of the petitioner. The respondent has also filed an application for enhancement of the maintenance. The learned counsel for respondent submits that he would not seek any unnecessary adjournment before the

Family Court.

4. The petition is allowed and the Trial Court is directed to expedite the hearing of the petition. The learned Family court shall endeavour to decide the petition within a period of one year from today. The pending application is disposed of.

5. The petition is listed before the Family Court on 28th July, 2017. Learned counsel for both the parties agree that they will argue the application under Order 12 Rule 6 on the said date. After the disposal of the said application, the learned Family Court shall commence the cross-examination of the petitioner and thereafter, record the remaining evidence. The other pending applications can be taken up simultaneously but the recording of the evidence shall not stop on the ground of the pendency of the other applications.

6. Copy of this order be given *dasti* to counsel for the parties under the signature of the Court Master.

J.R. MIDHA, J.

MAY 18, 2017

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