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

+ **MAT.APP.(F.C.) 56/2016**

POONAM

Represented by: Mr.Rajat Appellant
Ms.Chandrika Aneja &
Advocates. Gupta,

versus

ROHIT VALECHA

Represented by: Respondent
Mr.Sunil Mittal, Sr Advocate
instructed by Mr.Dhruv
Grover, Advocate with
respondent in person.

CORAM:

HON'BLE MR. JUSTICE PRADEEP NANDRAJOG

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

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08.03.2017

MAT.APP.(F.C.) 56/2016

1. Counsel for parties are not at variants that the impugned order is sans consideration of the material placed by the respective parties concerning the income of the parties and therefore concede that the impugned order set aside and the respondent's application under Section 24 of the Hindu Marriage Act, 1955 be revived for fresh adjudication as per law.

2. Ordered accordingly.

3. With consent we further direct that at the remand stage both the parties would be entitled to file fresh affidavits and such documents on which they seek to rely.

4. Impugned order dated March 4, 2016 is set aside and application filed by the respondent under Section 24 of the Hindu Marriage Act, 1955 is restored for adjudication afresh.

5. At this stage parties jointly pray that parties may be referred for mediation to the Delhi High Court Mediation and Conciliation Centre.

6. Ordered accordingly.

7. Parties shall appear before the Delhi High Court Mediation and Conciliation Centre, New Delhi on March 17, 2017. Report shall be filed before the trial court.

8. No costs.

CM Nos.14460-14461/2016

Dismissed as infructuous.

PRADEEP NANDRAJOG, J

YOGESH KHANNA, J

MARCH 08, 2017

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