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

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Date of Decision: 16th August, 2017

+ CM(M) 464/2017

VAIBHAV GROVER

..... Petitioner

Through: Mr.Arvind Chaudhary, Ms.Asha
Chaudhary, Advocates

versus

MEHAK KOHLI & ANR.

..... Respondents

Through: Mr.Ravinder Singh, Mr.Mahesh
Pradhan, Ms.Raveesha Gupta,
Advocates for respondent no.1 along
with respondent no.1 in person
Mr.Puneet Mittal, Sr. Advocate with
Ms.Vasudha Bajaj, Advocate for
respondent no.2.

CORAM:

HON'BLE MR. JUSTICE J.R. MIDHA

JUDGMENT (ORAL)

1. The petitioner instituted a petition for dissolution of marriage under Section 13(1)(i) and 13(1)(ia) of the Hindu Marriage Act, 1955 on 9th May, 2016 against respondent no.1 which is pending before the Family Court and the next date of hearing is 11th September, 2017.
2. The petitioner's grievance is that the respondents have not been filed the written statement till date and the learned Family Court has not been

taken up the petitioner's applications under Order 7 Rule 14(3) and Order 16 Rule 6 of the Code of Civil Procedure.

3. Learned counsels for the respondents submit that there was no direction by the Family Court prior to 16th May, 2017 to file the written statement and the replies to the applications.

4. Learned counsel for the petitioner submits that the statutory period for filing the written statement has expired in the month of June, 2016 since the respondents were served in May 2016 and last opportunity has been granted by the Trial Court on 16th May, 2017.

5. Learned counsels for the respondents submits that the written statement as well as replies to the above applications shall be filed before the learned Family Court positively on 11th September, 2017 and the advance copy of the written statement and the replies shall be furnished to counsel for the petitioner on or before 5th September, 2017. Learned counsels for the respondents further submit that they have no objection to the learned Family Court taking up the aforesaid two applications for hearing on 11th September, 2017.

6. In view of the statement made by learned counsels for the respondents today in Court, the learned Family Court shall take the written statement and replies to the aforesaid two applications on record on 11th September, 2017. The learned Family Court shall take up the petitioner's applications under Order 7 Rule 14(3) and under Order 16 Rule 6 of the Code of Civil Procedure for hearing on the said date. However, if the written statement and replies are not filed in terms of the statement made above, the respondents' right to file the same shall stand closed.

7. The petition is disposed of in the above terms.

8. Trial Court record be returned back forthwith.
9. Copy of this judgment be given *dasti* to counsel for the parties under the signature of the Court Master.

AUGUST 16, 2017
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J.R. MIDHA, J.

