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

+ CM(M) 445/2017 & CM Nos. 15226/2017 & 15227/2017

MALINI BISHNOI

..... Petitioner

Through: Mr. Trideep Pais and Mr. Rahul
Kripalani, Advocates

versus

DAWESH BISHNOI

..... Respondent

Through: None

CORAM:

HON'BLE MR. JUSTICE J.R. MIDHA

ORDER

% **24.04.2017**

CM No. 15227/2017 (exemption)

Allowed, subject to all just exceptions.

CM(M) 445/2017 & CM Nos. 15226/2017

1. The petitioner has filed a suit for declaration and anti-suit injunction before the Principle Judge, Family Court, South East District, New Delhi on 19th April, 2017 in which the Registry has given the date of 29th April, 2017.
2. The petitioner has filed an application for early hearing on 20th April, 2017, which has not been taken up on the ground that there is no Presiding Officer in the Family Court, South East District since 18th March, 2017.
3. Learned counsel for the petitioner submits that the petitioner has received a notice for appearance before an authority at Dubai on 25th April, 2017 in the proceedings initiated by the respondent and the petitioner is seeking anti- suit injunction against the respondent for restraining him in respect of the proceedings initiated at Dubai.
4. Learned counsel for the petitioner submits that since there is no

Presiding Officer in the Family Court South East District, the petitioner's suit be transferred to the Family Court, South District, Saket, which is located in the same Court Complex. In the alternative, learned counsel for the petitioner seeks *ex parte* interim order against the respondent by this Court.

5. Considering the nature of relief sought by the petitioner, the notice to the respondent is not considered necessary and is dispensed with.

6. This Court is satisfied that the petitioner's suit and the stay application requires urgent hearing and therefore, the Family Court, South East District, Saket is directed to list the petitioner's suit and the stay application before the Family Court, South District, Saket today itself i.e. 24th April, 2017 and the Family Court, South District, Saket shall take up the petitioner's suit and the stay application for hearing today.

7. In view of the aforesaid directions, learned counsel for the petitioner does not press the other prayers made in the petition and the petitioner would urge his case on merits before the Family Court, South District, Saket.

8. The petition is allowed in the above terms. **CM No. 15226/2017** is disposed of.

9. A copy of this order be given Dasti to the learned counsel for the petitioner, under the signatures of the Court Master.

J.R. MIDHA, J.

APRIL 24, 2017

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