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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CM(M) 1095/2016
GAURAV SINHA

..... Petitioner
Through Mr.Akhil Sibal, Mr. Jatain Sehgal,
Mr.Sourav Roy and Mr.Harish Malik,
Advocates.

versus

CHHAVI SINHA

..... Respondent
Through Mr.Manish Gandhi and Mr.Munish
Kumar Singh, Advocates.

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

% **09.01.2017**

C.M. No.40077/2016 (exemption)

Exemption is allowed subject to just exceptions. Application disposed of.

CM(M) 1095/2016

Report of the Family Court Judge is taken on record.

Learned counsel for petitioner submits that after the date of hearing there has been an expedition in the matter and the application filed by the respondent under Section 24 of the Hindu Marriage Act has since been decided. He has prayed that a local commissioner be appointed to conclude the evidence. On this point learned counsel for respondent has raised an objection. His submission is that such an application was already filed before the Family Court Judge which was rejected on 07.01.2017. This position is disputed. Be that as it

may noting the nature of the litigation which is pending before the Family Court Judge, this Court is not inclined to think it appropriate that the matter be referred to the local commissioner for recording evidence as the emotional upheaval and the demeanour of the witness has to be noted by Family Court Judge himself.

Also noting the submission of the learned counsel for petitioner that this petition is pending since last two years it would be appropriate to direct the Family Court Judge to dispose of the matter expeditiously.

With these directions petition disposed of.

INDERMEET KAUR, J

JANUARY 09, 2017
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