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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CM(M) 284/2018
SOMESHWAR DAYAL Petitioner
Through: Mr.Ramakant Sharma, Advocate

versus

ANUPAMA DAYAL Respondent
Through: Ms.Harnain Kaur Alag, Adv.

CORAM:
HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER
30.07.2018

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1. The order dated 9th March, 2018, when this petition under Article 227 of the Constitution of India came up first before this Court, shows that this petition, seeking decree of divorce on the ground of abuse of process of law by the respondent as well as a direction to the respondent to vacate the residential house, was held to be not maintainable and the counsel for the petitioner faced therewith sought to substitute the prayers made in the petition with a prayer for expeditious hearing and disposal of the divorce petition as well as eviction petition. The petition was so amended.
2. After several attempts, the respondent is reported to have been served on 11th June, 2018.
3. Ms. Harnain Kaur Alag Advocate appearing for the respondent seeks adjournment stating that there has been a change of counsel.
4. There is no question of change of counsel since the respondent has not appeared in these proceedings till now.

5. The counsel for the respondent then seeks adjournment to file counter affidavit and the counsel for the petitioner states that he has no objection thereto.
6. However, considering that the petition is only seeking expeditious disposal of the divorce petition and the eviction petition, both stated to be filed by the petitioner, need for counter affidavit is not felt and I have asked the counsel for the petitioner to show the order sheets of both the proceedings to decipher whether the delay is on the part of the petitioner or the respondent or the Court, for the directions sought to be issued.
7. The counsel for the petitioner, after rummaging through his file states that the same have not been produced.
8. Without the petitioner satisfying this Court that the petitioner himself is not to blame for the delay claimed to have been caused, no direction for time bound disposal, which always is to the prejudice of other matters of same vintage before the Court, can be granted.
9. Dismissed.

RAJIV SAHAI ENDLAW, J

JULY 30, 2018
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