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

+ CM(M) 604/2018

OJISHA SHARMA Petitioner

Through: Petitioner-in-person

versus

ANIL SHARMA Respondent

Through: None

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

30.07.2018

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1. The grievance of the petitioner, appearing in person and also claiming to be an advocate, in this petition under Article 227 of the Constitution of India is that an application under Order VI Rule 16 of the CPC filed by her in HMA No.47/17/10 of the Judge, Family Court, West, being a petition for dissolution of marriage by a decree of divorce filed by the respondent under Section 13(1)(ia) of the Hindu Marriage Act, 1955, is not being considered and trial is going on.

2. Though a copy of the application claimed to have been filed under Order VI Rule 16 of the CPC has not been filed along with this petition but the petitioner has handed over in the Court a certified copy of the order dated 16th February, 2018 of the Judge, Family Court, West, recording the statement of the petitioner that she would supply the copy of the said application within seven days, and framing the issues in the divorce petition and listing the divorce petition for consideration of the application as well as

for PE on 25th April, 2018. The petitioner has also handed over in the Court a certified copy of the order dated 25th April, 2018 deferring the cross-examination of the respondent by the petitioner on the request of the petitioner to 10th July, 2018.

3. The petitioner, on enquiry, states that on 10th July, 2018 also, at her instance the proceedings have been adjourned to 17th August, 2018.

4. There is nothing to show that the petitioner herein, who is the respondent in the divorce petition, pressed her application under Order VI Rule 16 of the CPC on 25th April, 2018 or on 10th July, 2018.

5. This petition is disposed of with a request to the Judge, Family Court to, on the next date of hearing, i.e. 17th August, 2018, consider the application under Order VI Rule 16 of the CPC, if pending and if pressed by the petitioner.

A copy of this order be given *dasti* to the petitioner.

RAJIV SAHAI ENDLAW, J

JULY 30, 2018
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