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

+ MAT.APP.(F.C.) 170/2018

REKHA KATARIA

..... Appellant

Through Mr. Pankaj Bhatia, Mr. Dhruv Surana,
Mr. Ashish Choudhary, Mr. Nipun Goel
& Mr. Rabindra Nanda, Advocates.

versus

VENEET KATARIA & ANR

..... Respondents

Through Mr. Prabhjit Jauhar, Ms. Aishwarya &
Mr. Rosemary Raju, Advocates.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MR. JUSTICE P.S. TEJI

ORDER

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27.07.2018

The present appeal has been filed against the order dated 09.07.2018 passed by the Family Court by which a Local Commissioner has been appointed for recording the evidence of the parties, on an application filed by the respondent-husband.

Learned counsel for the appellant submits that while passing the aforesaid order, the Family Court has not taken into consideration an earlier order so passed that the proceedings should be held in-camera. He submits that in view of the allegations made by husband, which are completely scandalous, the order appointing a Local Commissioner would have a direct impact on her rights. He further submits that the Family Court has not taken into account the element of embarrassment, which is likely to be caused to the appellant-wife during the cross-examination.

Mr. Jauhar, Advocate, who enters appearance on behalf of respondent, on

an advance copy, submits that the aim and objective of the prayer so made by the respondent before the Family Court was simply expeditious hearing of the matter and not to cause any embarrassment to the appellant. He submits that the Family Court has taken into account the earlier order and has ensured that even the proceeding before the Local Commissioner would be held in-camera.

After some hearing in the matter, it is agreed that in order to avoid any embarrassment to the appellant, a lady Local Commissioner be appointed on the same terms and conditions as directed in the order dated 09.07.2018 with a view to make the appellant comfortable lest any embarrassment be caused to her.

Accordingly, Mrs. R. Kiran Nath, District & Sessions Judge (Retd.) is appointed as a Local Commissioner in place of earlier Local Commissioner, who was appointed by the Family Court. Both parties agree to cooperate the Local Commissioner.

It is also pointed out that the application filed by the appellant under Section 24 of the Hindu Marriage Act is listed on 02.08.2018. It is agreed that no adjournment would be sought by either of the parties to ensure hearing of the application on the said date.

With these directions, the appeal and CM APPLs 29723-24/2018 are disposed of.

Copy of order be given *Dasti* to the parties under signature of the Court Master.

G.S.SISTANI, J

P.S. TEJI, J

JULY 27, 2018

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