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

+ MAT.APP.(F.C.) 225/2018 & C.M.36449/2018

RACHNA KHANNA SINGH Appellant

Through: Mr.Pradeep Narula and Ms.Bhawna
Khanna, Advts.

versus

SUBIR TARA SINGH Respondent

Through: Ms.Iti Pandey, proxy counsel for
Ms.Nandita Rao, Adv.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

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08.10.2018

Challenge in this appeal is to the order dated 27.08.2018, by which the Family court has appointed a Local Commissioner to record the evidence of the parties. Mr.Narula, counsel for the appellant submits that keeping in view the allegations of adultery, it would be appropriate that the evidence is recorded before the court.

We had issued notice in the matter. Learned counsel appearing for the respondents submits that the fears of the appellant are unfounded as the Local Commissioner is a retired District and Sessions Judge and being a lady, the appellant would be comfortable. She further submits that in case, at any stage, either of the parties feel that the Local Commissioner is not being able to handle the kind of questions put to either of the parties, liberty may be granted to the parties to approach the Family Court and in the absence of any favourable order, even to approach this Court again. Mr.Narula has no objection to the same.

Heard learned counsel for the parties. Having regard to the submissions made and the stand taken by the counsels in Court today, we have no hesitation

in saying that having regard to the experience of the Local Commissioner, every efforts would be made to conduct the proceedings in a just and proper manner.

We request the Local Commissioner to keep the sensitivities of both the parties in mind at the time when the examination-in-chief and cross examination is being conducted. We request counsels for the parties to cooperate with the Local Commissioner so that the proceedings are conducted in a proper manner.

With these agreed directions, the appeal stands disposed of.

G.S.SISTANI, J

SANGITA DHINGRA SEHGAL, J

OCTOBER 08, 2018

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