

\$~82

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

+ **MAT.APP.(F.C.) 242/2018**

JAPNA BAL

..... Appellant

Through: Ms Tishampati Sen and Ms Rosemary
Raju, Advs

versus

RAVINDRA PRATHAP SINGH

..... Respondent

Through: Nemo

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

%

26.09.2018

CM No. 39662/2018 (exemption)

Exemption is allowed subject to all just exceptions.

Application stands disposed of.

MAT.APP.(F.C.) 242/2018 and CM No. 39663/2018 (stay)

Aggrieved by the order dated 29.08.2018 passed by the learned Family Court where request for change of Local Commissioner has been declined has led to the filing of the present appeal. The learned counsel appearing for the appellant / wife submits that having regard to the nature of controversy between the parties, it would be in the fitness of things if a lady Local Commissioner was appointed in the matter. She further submits that during the cross examination of the husband/respondent, the wife has gained an impression as if the Local Commissioner is providing answers to the witness and she is thus feeling insecure. In these circumstances, to meet the ends of justice and to avoid the wife feeling insecure during the cross examination, another Local Commissioner be

appointed.

We have heard the learned counsel for the appellant and also examined the order which has been passed by the Family Court.

We have no hesitation in saying that the learned Local Commissioner who has recorded evidence in many matters as noticed by the Family Court would ensure that the cross examination is conducted in a manner which will repose full faith and confidence in the appellant/wife.

With these observations, the appeal is disposed of.

G.S.SISTANI, J

SANGITA DHINGRA SEHGAL, J

SEPTEMBER 26, 2018
SU/