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IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6685 OF 2019

Mrs. Sweety Sujeet Sinha @ Ms. Sweety Singh ... Petitioner  
Vs.  
Mr. Sujeet Ashok Sinha ... Respondent

Mr. Vikas B. Shivarkar for the Petitioner.  
Mr. Sujeet Sinha Respondent in person present.

CORAM: SMT. SADHANA S. JADHAV, J  
DATE : 20<sup>th</sup> SEPTEMBER 2019.

P.C. :

1. Heard Mr. Shivarkar for the petitioner and the respondent in person.

2. Rule. Rule made returnable forthwith with the consent of the parties. Petitioner being aggrieved by the order dated 15<sup>th</sup> April 2019, thereby rejecting the application filed by the petitioner is seeking personal exemption for recording of evidence on the ground that she is residing at Delhi. She has prayed for giving her evidence through video conferencing. The reason assigned by the petitioner was that she would be unable to come to Pune for recording of evidence due to severe financial crisis. The respondent submits that in fact he had also prayed for transfer of the matter i.e. P.A. No.1434 of 2018 from Pune to Delhi, however, the same was opposed by the petitioner. The respondent further submits that in fact

the petitioner desires to keep the litigation pending and therefore, such applications are being filed.

3. Be that as it may, the petitioner deserves one chance of giving her evidence through video conferencing. It is made clear that the petitioner shall not seek any adjournment on whatever ground for video conferencing. Upon failure to give evidence on the scheduled date through video conferencing, the petitioner will have to appear in person at Pune for recording of evidence.

4. Parties to seek a date for recording evidence of the petitioner through video conferencing by consent before the Family Court, Pune. The Family Court, Pune shall not give any extension or adjournments to either of the parties on the scheduled date. The respondent has fairly submitted that in such an event he has no objection for recording the evidence through video conferencing.

5. The respective parties have submitted that 21<sup>st</sup> September 2019 is the scheduled date before the Family Court at Pune and by consent they would seek a date for recording evidence through video conferencing.

6. In case of evidence being partly recorded, it shall be continued on the next day.

7. In view of the above, the order dated 15<sup>th</sup> April 2019 stands quashed and set aside.
8. The petition is allowed in above terms and stands disposed of.
9. The costs for recording evidence through video conferencing shall be borne by the petitioner.
10. Rule is made absolute on above terms.

**(SMT. SADHANA S. JADHAV, J)**