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

+ CM(M) 32/2019

RAHUL GOYAL

..... Petitioner

Through : In person.

versus

PRATIBHA GOYAL

..... Respondent

Through : Mr.Pratyaksh Sharma, Advocate.

CORAM:

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

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11.01.2019

The learned counsel for the respondent appears and accepts the notice. The petitioner apprehends since the Transfer Petition (C) No.89/2018 between the same parties is listed on 14.01.2019 in this Court the respondent may attend the proceedings in person and the minor child shall be left alone in her house with maternal uncle against whom he has already levelled various allegations. However, the learned counsel for the respondent says since the presence of the respondent is not essential in the said transfer petition he shall only appear on behalf of the respondent and argue the matter.

The petitioner says the respondent has been given the custody of the child even on different occasions without any Court orders and the respondent has concealed such facts from the Court. The learned counsel for the respondent refutes such allegations. Even otherwise, this is question on merits and may be pleaded before the learned Trial Court.

It is further argued by the petitioner certain applications filed by him in April and May 2018 are still pending before the learned

Trial Court. Endeavour be made by the learned Trial Court to decide the pending application(s), if any, already filed by the petitioner, as expeditiously as possible.

In the circumstances, since the learned counsel for the respondent has assured the respondent shall be in company of her child even on 14.01.2019 and would not leave the child alone in the home, nothing survives in this petition and it is disposed of.

The Registry will send copy of this order to the learned Trial Court for information.

Order *dasti*.

YOGESH KHANNA, J.

JANUARY 11, 2019

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