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

% Judgment delivered on: 07.05.2019

+ CRL.REV.P. 543/2019

GAGANDEEP SINGH Petitioner

versus

KULJEET KAUR Respondent

Advocates who appeared in this case:

For the Petitioners : Mr. Kamakesh Ch. Saha with Mr.
Sunando Rana and Mr. Prashant
Kumar, Advocates.

For the Respondents : None.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

**Crl.M.A.9736/2019 (exemption), Crl.M.A.9737/2019 (exemption
from filing colour photographs of marriage)**

Exemptions are allowed subject to all just exceptions.

CRL.REV.P. 543/2019 & Crl.M.A.9735/2019 (stay)

1. Petitioner impugns order dated 08.03.2019, whereby, petitioner has been directed to pay litigation expenses of Rs.11,000/- to the respondent.

2. Learned counsel for the petitioner submits that the petitioner is

not doing any business and his business has been closed because of a notification by the Government and he is surviving with the help of other family members.

3. *Ex facie*, I am not satisfied with the submission of learned counsel for the petitioner. Admittedly, the petitioner was a businessman and running a business of sale of e-rickshaw.

4. Reliance is placed by the learned counsel for the petitioner on a Notification of the Government dated 14.08.2015 to contend that his e-rickshaw business has been stopped.

5. The Notification dated 14.08.2015 relied upon by learned counsel for the petitioner merely states that the petitioner was running an e-rickshaw business without obtaining a trade certificate. Petitioner has been directed to obtain a trade certificate. The Notification does not, in any manner, prevent the petitioner from doing the said business or any other business.

6. The petitioner is an able bodied person and as such the contention of the learned counsel for the petitioner that petitioner is not doing any work and is dependent on other family members, is not believable.

7. The Trial Court has merely directed the petitioner to deposit litigation costs of Rs.11,000/-

8. I am not inclined to interfere with the said order directing the petitioner to deposit litigation costs of Rs.11,000/-

9. Learned counsel for the petitioner submits that after the impugned order of 08.03.2019, no adverse orders have been passed by the Trial Court closing his right to defend the proceedings or proceeding ex-parte. This statement is taken on record.

10. Learned counsel for the petitioner further submits that petitioner shall deposit 50% of the litigation expenses on the next date of hearing before the Trial Court i.e. 10.05.2019 and the balance 50% within one week thereafter.

11. Petitioner is directed to pay 50% of the litigation expenses of Rs. 11,000/- to the respondent on 10.05.2019 before the Trial Court and the balance 50% within one week thereafter.

12. It is clarified that in case adverse orders have been passed against the petitioner after 08.03.2019 for non-compliance of the said order, this order shall not in any manner affect the adverse order.

13. Petition is dismissed with the aforesaid directions.

14. Order *Dasti* under signatures of the Court Master.

MAY 07, 2019
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SANJEEV SACHDEVA, J