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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CM(M) 1719/2019 & CM No.3520/2020
JASVINDER KAUR

..... Petitioner
Through: Mr.Pranav Sarthi & Mr.Anurag
Singh, Advs.

versus

AMIT LAMBA

..... Respondent
Through: Mr.D.K. Sharma, Adv.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **29.01.2020**

This petition has been filed challenging the order dated 06.02.2019 passed by the learned Principle Judge, Family Courts (South-East), Saket in HMA No. 1167/2014 striking of the defence of the petitioner herein on the ground of non filing of the Written Statement.

The learned counsel for the petitioner submits that the petitioner had filed her Written Statement alongwith an application seeking condonation of delay in filing of the same. While that application was placed before the learned Trial Court, the Written Statement was missing. He further places reliance on the reply to the application filed by the respondent, which suggests that a copy of the Written Statement had been supplied to the respondent.

The learned counsel for the respondent on the other hand submits that the petitioner has been intentionally delaying the adjudication of the petition. It is only on the service of the petitioner through publication that the

petitioner finally entered appearance in the proceedings. He further submits that the reply was drafted on the basis of the copy supplied to the respondent, however, admittedly the purported Written Statement filed by the petitioner is not on record before the learned Trial Court.

I have considered the submissions made by the learned counsels for the parties. As the dispute between the parties is of a matrimonial nature, the Impugned Order dated 06.02.2019 is set aside, granting one more opportunity to the petitioner to file her Written Statement on record.

The Written Statement, if filed within a period of one week from today alongwith a cost of Rs. 10,000/-, shall be taken on record by the learned Trial Court.

Keeping in view that the petition is of the year 2014, I further request the learned Trial Court to expedite the trial in the same. The parties shall not be granted any unnecessary adjournment in the said petition.

The present petition is disposed of in the above terms.

NAVIN CHAWLA, J

JANUARY 29, 2020/rv