

*(In virtual Court)*CR No.1512 of 2021 (O&M)
Date of Decision: 20.08.2021

Ria Agnihotri

.....Petitioner No.1

Versus

Vidur Patney

.....Petitioner No.2

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWATPresent: Mr. P.Norula, Advocate,
for the petitioner.**RAJBIR SEHRAWAT, J. (ORAL)**

This is a petition filed under Article 227 of the Constitution of India assailing the order dated 16.07.2021 passed by the Additional Principal Judge, Family Court, Gurgaon, directing one of the family members or relative of petitioner No.1 to be present to ensure voluntary nature of the statement to be made by petitioner No.1 in a petition filed under Section 13-B of the Hindu Marriage Act.

At the outset, learned counsel for the petitioner has submitted that petitioner No.1 is having only her old-aged mother; of about 80 years; in her family. The order passed by the Court below, as such, would require her physical presence before the Court below. Although, such a presence of any third party to the marriage is not even warranted under the provisions of law, however, petitioner No.1 would not have any objection, if the order passed by the Court below; is modified to the extent that the mother of petitioner No.1 could appear before the Court below; through video-conference.

In view of the above, the present revision petition is disposed of with a modification in the impugned order that the trial Court would not insist upon the physical presence of the mother of petitioner No.1. However, the trial Court may have interaction with the mother of petitioner No.1 through video conference; through any convenient means.

Disposed of.

(RAJBIR SEHRAWAT)
JUDGE

20.08.2021
sandeep

Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No