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

+ CM(M) 855/2022, CM APPL. 36997/2022

ANJALI @ PUSHPA

..... Petitioner

Through: Mr.Ashish Kapur and Mr.Anmol
Kapur, Advocates with petitioner in
person.

versus

DINESH KUMAR

..... Respondent

Through: Mr.Dharamvir Singh Chauhan,
Advocate

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Date of Decision: 10th November, 2022

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

J U D G M E N T

DINESH KUMAR SHARMA, J. (Oral)

1. Present writ petition has been filed challenging the order dated 21.01.2020 whereby the application moved by the petitioner herein for setting aside the ex-parte order dated 17.09.2019 was dismissed.
2. Learned counsel for the respondent has graciously stated that the impugned order may be set aside subject to the imposition of heavy cost.
3. The petitioner herein was proceeded ex-parte vide order dated 17.09.2019. The case was at the stage of cross-examination of the respondent herein at that time. The application for setting aside the ex-parte order was dismissed vide the impugned order dated 20.01.2020.

4. In view of the totality of the facts and circumstances of the case and the submissions made by the counsel for the respondent, the impugned order dated 21.01.2020 and ex-parte order dated 17.09.2019 against the petitioner are set aside, subject to cost of Rs.5,000/- to be paid to the respondent before the next date of hearing.

5. It has been informed that the next date of hearing before the learned Judge, Family Court is 27.01.2023 for cross examination of the respondent herein.

6. In view of the above directions, the writ petition along with the pending application is disposed of.

DINESH KUMAR SHARMA, J

NOVEMBER 10, 2022

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