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

+ **CM(M) 1210/2022**

ANGELLINA ARENJA

..... Petitioner

Through: Mr.Prabhjit Jauhar and
Ms.Ajune Singh, Advocates

versus

NITIJ ARENJA

..... Respondent

Through: Mr.Sanjay Abbot, Advocate

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Date of Decision: 14th November, 2022

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

J U D G M E N T

DINESH KUMAR SHARMA, J. (Oral)

CM APPL. 48629/2022 (exemption)

Exemption is allowed subject to all just exceptions.

Application stands disposed of.

CM(M) 1210/2022

Present petition has been filed challenging the order dated 05.11.2022,
which reads as follows:

“05.11.2022

Present: Ms.Ajune Singh, proxy counsel for the Petitioner.

Submissions made.

*Put up with the main case file on the next date of hearing
i.e. 18.01.2023.”*

Learned counsel for the petitioner submits that he is aggrieved of the fact that despite an urgent relief having been sought by the petitioner in the application, learned Family Court has not issued the notice. Learned counsel submits that he would be satisfied if the learned Family Court considers the application on merits and passes an order in accordance with law.

Mr.Sanjay Abbot, learned counsel for the respondent has raised an objection as to the maintainability of the present petition on the ground that the affidavit annexed with the petition is of 05.11.2022 and the present petition has been signed on 07.11.2022.

I consider that this is a hyper-technical objection and cannot make the petition not maintainable.

Without going into the merits of the case and contentions being raised by the petitioner in the present petition, the petition is disposed of with the direction to the learned Family Court to take up the application dated 05.11.2022 filed under Order XXXIX Rule 2-A read with Section 151 CPC for hearing on 28.11.2022 and dispose of the same in accordance with law.

Learned counsels for the parties are directed to appear before the learned family court on 28.11.2022.

With the above directions, the present petition stands disposed of.

DINESH KUMAR SHARMA, J

NOVEMBER 14, 2022

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