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

+ CM(M) 1251/2022, CM APPLs. 49695-96/2022

VINEET TANEJA

..... Petitioner

Through: Mr. Prosenjeet Banerjee, Mr.

versus

RITU TANEJA

..... Respondent

Through: Mr. Manish K. Chaudhary, Adv.

Ms. Ritu Johari, (through VC)

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Date of Decision: 21st November, 2022

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

J U D G M E N T

DINESH KUMAR SHARMA, J. (Oral)

CM APPLs. 49697-98/2022(exemptions)

Exemptions are allowed subject to all just exceptions.

Applications stand disposed of.

CM(M) 1251/2022

1. The present petition has been filed challenging the order dated 28th September, 2022 whereby the application of the petitioner under Section 14 of the learned Principal Judge, South, Family Court, Saket read with Order VII Rule 14 (3) CPC has been dismissed.
2. Vide this petition, the petitioner has sought to place on record the additional documents for consideration for final adjudication of the

guardianship petition bearing G. P. No.48/12/2018.

3. Learned counsel for the petitioner submits that he confines his prayers only for consideration of the photographs placed on record from page nos. 138 to 177.
4. Learned counsel for the petitioner undertakes that he will not examine the petitioner or any other witness in respect of the photographs and would raise oral submissions for consideration for adjudication only the guardianship petition.
5. Learned counsel for the respondent submits that he will have no objection if he is also permitted to raise only oral submissions regarding these documents,
 - I. List of the containment Zones just after visitation of minor child on 28th March, 2021;
 - II. Death Certificate of Respondent's father ;
 - III. Copy of RTI and its reply.
6. Learned counsel for the respondent submits that these documents are already on record. He undertakes that he would not press for any other documents nor will lead any evidence for respondent and he may be permitted to make oral submissions before the learned Trial Court for consideration of these abovementioned three documents for final adjudication of guardianship petition bearing G. P. No.48/12/2018.
7. In view of the submissions made by both the parties and with the consent of both the parties. Learned Trial Court shall consider the following documents;
 - I. List of containment Zones just after visitation of minor child on 28th March, 2021;

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- II. Death Certificate of Respondent's father ;
 - III. Copy of RTI and its reply; and
 - IV. Photographs placed on record from page nos. 138 to 177.
8. The parties are at liberty to make only oral submissions and counter submissions regarding aforementioned documents. However, since the case is at the stage of final hearing, the parties shall not permit to lead any evidence. The Court will only consider oral submissions regarding these documents for final adjudication of the guardianship petition bearing G. P. No.48/12/2018 in accordance with law and the principles of appreciation of evidence.
9. In view of these observations, the present petition along with pending application stands disposed of.

DINESH KUMAR SHARMA, J

NOVEMBER 21, 2022

Pallavi

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