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

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Date of Decision: 17.05.2024+ **MAT.APP.(F.C.) 79/2024 & CM Nos.14377-79/2024****PRIYANKA MATTOO**

..... Appellant

Through: Ms Renu with Ms Shivangi Verma
and Mr Prem Shankar Jha, Adv.

versus

TAROK BISWAS

..... Respondent

Through: Mr Koplin K Kandhari, Adv.

CORAM:**HON'BLE MR. JUSTICE RAJIV SHAKDHER****HON'BLE MR. JUSTICE AMIT BANSAL****[Physical Hearing/Hybrid Hearing (as per request)]****RAJIV SHAKDHER, J.: (Oral)**

1. This appeal is directed against the order dated 03.01.2024 passed in HMA No.167/2019 and order dated 14.08.2024 passed in HMA No.272/2017.
2. Insofar as the first order is concerned, Ms Koplin K Kandhari, who appears on behalf of the respondent, says that although the appellant has procrastinated in the conduct of proceedings, the court could permit the appellant's participation in the cross-examination, which is slated for 24.05.2024, subject to the costs being imposed.
3. As regards the other prayer which concerns order dated 14.08.2024, Ms Kandhari says that the appeal has been filed after a delay of nearly six years.
4. We have heard counsel for the parties. According to us, insofar as the



order dated 03.01.2024 is concerned, the same can be quashed in view of the submissions made by Ms Kandhari. It is ordered accordingly.

4.1 The appellant will, however, pay Rs.2,500/- as costs. The costs will be deposited with the Juvenile Justice Fund maintained with this Court. Proof of cost will be placed before the Family Court.

5. The appellant will be entitled to join the cross-examination fixed before the Family Court on 24.05.2024.

5.1 Furthermore, costs imposed by the Family Court on 21.08.2023 shall also stand set aside.

6. As regards the other order dated 14.08.2024 impugned in HMA No.272/2017, Ms Kandhari says that there is much delay in approaching the court by way of the instant appeal.

6.1 That said, since counsel for the appellant says that she will take recourse to an appropriate remedy, with regard to this order, no direction is required to be issued in that behalf.

7. In case the appellant is advised to take recourse to a remedy as may be advisable, the appropriate forum will deal with the same, in accordance with law.

8. The appeal is disposed of in the aforesaid terms.

9. Resultantly, pending applications shall stand closed.

RAJIV SHAKDHER, J

AMIT BANSAL, J

MAY 17, 2024

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