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

+ **CM(M) 2153/2024**

RICHA SUREKA

..... Petitioner

Through: Ms. Vandana Kejriwal, Adv.

versus

AKHIL KUMAR SUREKA

..... Respondent

Through: Mr. N.P. Singh, Mr. Amrit Singh and
Mr. Vinay Kaushik, Adv.

CORAM:

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

18.03.2024

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CM APPL. 16752/2024—Exp.

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

CM(M) 2153/2024, CM APPL. 16751/2024—stay

3. The present petition under Article 227 of the Constitution of India read with Section 151 Civil Procedure Code (“CPC”) has been filed challenging the order dated 20.02.2024 passed by the learned Judge, Family Court-01, Dwarka Court, New Delhi, in HMA No.2483/2022 titled as “*Akhil Kumar Sureka vs. Richa Sureka*”, whereby the learned Trial Court fixed the dates i.e. 14.03.2024 and 21.03.2024 at 11.:30 A.M. for cross-examination of the petitioner/ respondent herein. The petitioner herein is the respondent before the learned Trial Court.



4. After making some submissions, the learned counsel for the petitioner submits that due to her own medical condition, it will be difficult for her to conduct the cross-examination on 21.03.2024 before the Local Commissioner as observed by the learned Trial Court vide the impugned order dated 20.02.2024.

5. At this stage, learned counsel for the petitioner seeks permission to withdraw the present petition with liberty to make the submissions by way of an application, as made in the present petition before the learned Trial Court.

6. The learned Trial Court to consider the submissions in case an appropriate application is moved on behalf of petitioner before it and the parties to appear before the learned Trial Court on 20.03.2024 either physically or through video-conferencing. Advance copy of application be furnished to the opposite side.

7. With above observations, the present petition along with pending application stands disposed of.

SHALINDER KAUR, J

MARCH 18, 2024

SDS