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

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Date of decision: 16.07.2024

+ **MAT.APP.(F.C.) 218/2024**

PREETI AGARWAL

.....Appellant

Through: Appellant is present in person along
with her brother and father.

versus

AGNI SHEKHAR PANDEY

.....Respondent

Through: None.

CORAM:

HON'BLE MR JUSTICE RAJIV SHAKDHER

HON'BLE MR JUSTICE AMIT BANSAL

[Physical Hearing/Hybrid Hearing (as per request)]

RAJIV SHAKDHER, J.: (ORAL)

CM APPL. 39333/2024

1. Allowed, subject to just exceptions.

MAT.APP.(F.C.) 218/2024 and CM APPLs. 39331/2024 and 39332/2024

[Applications filed on behalf of the appellant seeking directions]

2. This appeal is directed against the judgment and order dated 24.04.2024 passed by Mr Pritam Singh, learned Judge, Family Court-01, Saket, South, Delhi.

3. The appellant/mother, who is present in person, says that she would like to progress the case before the concerned Family Court through her power of attorney.

3.1 The appellant/mother contends that she wishes to appoint her brother,



Mr Binoy Bhushan Aggarwal, as her attorney to act and plead on her behalf.

4. A perusal of the impugned judgment and order seems to indicate that the learned Family Court Judge, having regard to the fact that certain legal issues need to be addressed, has appointed Mr Pankaj, Advocate [empanelled with DLSA (South)], to represent the appellant/mother. As an alternative, the appellant/mother was given the liberty to engage a private counsel if she did not wish to be represented by legal aid counsel.

5. In our view, there can be no objection to the appellant/mother either acting and pleading on her own or appointing a power of attorney, i.e., her brother, Mr Binoy Bhushan Aggarwal, to do the same.

5.1 As the learned Family Court Judge is, presently, of the view that intricate questions of law are involved, liberty is given to the learned Family Court Judge to call upon the Delhi Legal Services Authority (South) to assign an Advocate, who will, in addition to the appellant/mother or her power of attorney, assist the Family Court in progressing the case as far as marshalling the facts, presenting evidence, and advancing arguments are concerned.

6. The appellant/mother will present herself, along with her power of attorney, if any, on the date already fixed, i.e., 26.07.2024, before the Family Court.

6.1 In case the appellant/mother chooses to appoint a power of attorney, she will place on record, before the Family Court, a duly executed power of attorney which shall form part of the record.

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

8. Pending applications shall also stand closed.



2024:DHC:5315-DB



9. The Registry will dispatch a copy of this order to the concerned Family Court.

RAJIV SHAKDHER, J

AMIT BANSAL, J

JULY 16, 2024 /tr

Signature Not Verified

Digitally Signed By: PREM
MOHAN CHOUDHARY

Signing Date: 19/07/2024
11:38:41

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