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

% ***Date of decision: 22nd July, 2024***

+ **CM(M) 2954/2024 & CM APPL. 40485/2024**

MR VINEET BHUTANI

.....Petitioner

Through: **Mr. Arpit Bhalla & Ms. Disha Bhalla,**
Advocates

versus

MRS NADIYA MEHRA

.....Respondent

Through: **None**

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

CM APPL. 40485/2024

Exemption allowed subject to all just exceptions.

CM(M) 2954/2024

1. Petitioner has filed a petition seeking divorce on the ground of cruelty.
2. Petitioner (husband) prayed that evidence be got recorded before Local Commissioner and he also volunteered to bear the entire expenses in this regard.
3. However, since respondent was not agreeable for recording of evidence before Local Commissioner, learned Trial Court did not appoint any Local Commissioner.
4. Feeling aggrieved, such petition has been filed by the petitioner.
5. After hearing arguments for some time, learned counsel for the petitioner states that he would not press his present petition but a direction



be issued to the learned Trial Court to ensure that no unnecessary adjournment is granted to respondent and to re-consider the above request in future in case situation so arises.

6. I have carefully gone through the impugned order. It is noticed that learned Trial Court itself has observed that the cross-examination be concluded without any delay.

7. Be that as it may, in view of the statement made by the learned counsel for petitioner, present petition is disposed of as not pressed. However, it is clarified that learned Trial Court would not give any unnecessary adjournment to the respondent and in case respondent adopts dilly-dallying tactics, it would be open to the learned Trial Court to reconsider the request regarding appointment of Local Commissioner.

(MANOJ JAIN)
JUDGE

JULY 22, 2024/dr