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

+CM(M) 3909/2024

NISHI DHIR THROUGH SPA

HOLDER MEENU CHOPRA

.....Petitioner

Through: Mr. Vaibhav Vats, Adv.(DHCLSC)
Ms. Meenu Chopra, SPA Holder of
the petitioner in person with Ms.
Nishi Dhir, petitioner in person.

versus

ASHISH DHIR

.....Respondent

Through: Ms. Rhythm Sheel Srivastava,
Advocate.

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

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06.12.2024

CM APPL. 71709/2024 (For Direction)

1. Learned counsel appearing for the petitioner draws the attention of this Court to the order dated 27.11.2024 passed by the learned Family Court.
2. Perusal of the order reveals that petitioner did not appear before the Trial Court, and therefore Trial Court closed the right of cross-examination of PW-1.
3. Since right to file written statement had already been closed on 09.08.2024, having no other option the learned trial court closed the right of respondent's evidence and listed the matter on 07.12.2024 for arguments.
4. Learned counsel submits that in case the arguments are heard tomorrow, the present petition would become infructuous and therefore, he requests that directions be issued to the learned trial court for listing the matter to a date subsequent to the date fixed by this Court.



5. Learned counsel for the respondent has vehemently opposed such request submitting that despite direction issued by this Court on the last date, the petitioner did not supply the copy of the petition and also did not appear before the Trial Court.

6. Learned counsel for the petitioner under instructions submits that petitioner was hospitalized due to which reason, she could not appear before the Trial Court on 27.11.2024, and complete set of papers was not available with the petitioner on the last date due to which copy of the same could not be provided to the respondent's counsel.

7. Considering the totality of facts and circumstances and in particular the fact that the matter is listed before the trial court on 07.12.2024 for final arguments, in the interest of justice, it is directed that the matter listed tomorrow be adjourned to some date next to the date listed before this Court. However, this order is further subject to the condition that copy of the petition for being served to the respondent is provided today itself to the Court Master.

8. The application stands disposed of.

9. A copy of this order be given dasti under the signatures of the Court Master.

RAVINDER DUDEJA, J

DECEMBER 6, 2024/ib