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

% ***Date of Decision: 19th March, 2025***

+ **CM(M) 513/2025 & CM APPL. 15931/2025**

TAMILARASAN RAJENDRAN

.....Petitioner

Through: Ms. Neha Batra and Ms. Rakhee
Gupta, Advocates.

versus

SHERLEY PANNEER

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. The request made in the present petition is very short and precise.
2. Petitioner merely seeks a direction to learned Trial Court to expedite disposal of his application moved under Order IX Rule 9 CPC.
3. Petitioner had filed a '*Guardianship Petition*' under Section 12 and 25 of Guardians and Wards Act, 1890 seeking custody and visitation rights of his daughter on 17.01.2023.
4. The abovesaid petition was, however, *dismissed-in-default* on 12.12.2023.
5. Petitioner filed an application under Order IX Rule 9 CPC seeking restoration of his petition and the concern raised in the present petition is merely to the effect that such application has yet not been decided. It is also contended that his right to have visitation would arise only after the petition is restored.
6. The various orders passed by learned Judge, Family Court, would indicate that next date of hearing with respect to the abovesaid application is



28.04.2025. The opposite side has already put in appearance and the matter is now fixed for reply/arguments.

7. Taking overall view of the matter, the present petition is disposed of with request to learned Judge, Family Court, to decide the abovesaid application as expeditiously as possible and, preferably, within a period of two months from the date it takes up the abovesaid application on 28.04.2025.

8. The petition stands disposed of accordingly.

(MANOJ JAIN)
JUDGE

MARCH 19, 2025/st/SS