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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ MAT.APP.(F.C.) 287/2025, CM APPL. 49017/2025, CM
APPL. 49018/2025 and CM APPL. 49019/2025

PRAMOD DUTT @ YOGESH VERMA @ AVINASH
KUMARAppellant

Through: Mr. Neeraj Kumar Shah, Adv.

versus

TARUN VERMARespondent

Through: Nemo.

CORAM:
HON'BLE MR. JUSTICE ANIL KSHETARPAL
HON'BLE MR. JUSTICE HARISH VAIDYANATHAN
SHANKAR

ORDER

12.08.2025

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1. The proceedings before the Family Court are pending in a Divorce Petition filed by the Respondent (wife of the Appellant).
2. The Appellant assails the correctness of four introductory orders passed by the Family Court on 30.01.2025, 02.05.2025, 11.07.2025 and 17.07.2025. By the last order, the defence of the Appellant was struck off for failure to pay costs. The Family Court came to conclusion that the Appellant is indulging in filing multiple applications in order to delay the decision of the Divorce Petition. In fact on 30.01.2025, application filed by the Appellant was dismissed with cost of Rs. 5,000/- Thereafter, the Appellant filed an application for waiver of the costs, which was also dismissed with an additional cost of Rs. 5,000/-.
3. The Appellant has filed an affidavit/undertaking as under and the same is taken on record today in the Court:-



“2. That in compliance of order dated 11.08.2025, the Appellant filed the present affidavit thereby undertake that the Appellant will not delay tactics/adjournment in the divorce proceedings pending before the Hon’ble Court of Sh. Pankaj Gupta, Principal Judge, Family Court, North Rohini Court, Delhi in HMA No. 481/2022, titled as Tarun Verma V/s Pramod Kumar Dutt@ Yogesh and same is now fixed for 09.10.2025.

3. That the Appellant undertake that he will not take any adjournment from the aforesaid Hon’ble Court at any point of time.

4. That the Appellant undertakes that he will not file any application for delay the proceedings in the aforesaid case unless and until the aforesaid Hon’ble Court give directions for the same.

5. That the Appellant undertake to abide any terms and conditions, if any, impose by this Hon’ble Court.”

4. As per the objects and reasons of the Family Court Act, 1984, the Court should avoid rigid rules of procedure and evidence in order to advance the cause of justice.

5. In view of undertaking given by the Appellant, the order striking off Appellant’s defence is set aside, subject to payment of cost of Rs. 10,000/- to the Respondent, as already ordered by the Family Court. The Appellant shall be granted opportunity to contest the case before the Family Court.

6. Since this order has been passed without issuing notice to the Respondent, hence, liberty is granted to the Respondent to file application for recall.

7. The Appeal and applications, if any, are accordingly disposed of with the foregoing directions.

ANIL KSHETARPAL, J.

HARISH VAIDYANATHAN SHANKAR, J.
AUGUST 12, 2025/sp/rgk