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

+ **MAT.APP.(F.C.) 362/2024 CM APPL.15123/2025**

PRATIBHA JAKHAR

.....Appellant

Through: Mr. Preet Pal Singh, Ms. Gurmeet
Kaur Kapur, Mr. Yash Saini,
Advocates.

versus

VIKRAM SINGH

.....Respondent

Through: Mr. Pawan Sharma, Advocate.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MR. JUSTICE TEJAS KARIA

ORDER

12.03.2025

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1. The appellant has filed the present appeal impugning an order dated 21.09.2024 whereby the right of the appellant to file written statement in HMA No.3569/2023 captioned *Vikram Singh v. Pratibha Jhakhar* was struck off and the matter had been put up for recording of evidence.
2. The learned Family Court had issued notice of the aforesaid divorce petition (HMA No.3569/2023 captioned *Vikram Singh v. Pratibha Jhakhar*) on 07.11.2023. The appellant's advocate had entered appearance in the said proceedings on 15.02.2024. The court issued directions for filing the written statement and listed the petition on 26.04.2024. However, the Bench did not assemble as the concerned Judge was on leave. The petition was, thereafter, listed on 11.07.2024. One week's time was granted to the appellant to file the written statement.
3. Admittedly, the same was not done. Accordingly, by the impugned order, the right of the appellant to file the written statement was closed.
4. It is the appellant's case that she was labouring under the impression



that the written statement had been filed by her counsel. It is contended on her behalf that the appellant was shocked to receive the impugned order reflecting that the written statement had not been filed. The learned counsel also submits that in view of the above, the files were called from the concerned advocate and the written statement signed by the appellant, was amongst the documents returned by him.

5. The learned counsel for the respondent submits that the appellant ought to be directed to pay heavy costs and the trial may be expediated.

6. We have heard the learned counsel for the parties.

7. Undeniably, the appellant has been remiss in filing the written statement within the stipulated time. However, in view of the averments made in the present appeal, we consider it apposite to grant one other additional opportunity to the appellant to file the written statement subject to payment of costs.

8. In view of the above, we direct that the appellant may file her written statement in *HMA No.3569/2023* captioned *Vikram Singh v. Pratibha Jhakhar*, subject to payment of cost of ₹25,000/- to the respondent within a period of one week from today.

9. We also request the learned Family Court to expedite the trial of the subject petition.

10. The appeal is disposed of in the abovesaid terms. The pending application is also disposed of.

VIBHU BAKHRU, J

TEJAS KARIA, J

MARCH 12, 2025/RK

[Click here to check corrigendum, if any](#)