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

% ***Date of Decision: 3rd December, 2025***

+ **CM(M) 2326/2025, CM APPL. 75356/2025 & CM APPL. 75357/2025**

MANVI HORA

.....Petitioner

Through: **Mr. Uttam Datt, Senior Advocate with
Mr. Vikas Rohtagi, Ms. Sonakshi
Singh, Ms. Aastha Vashist, Mr. Pankaj
Rohilla and Mr. Neeraj Singh,
Advocates**

versus

ABHINAV BATRA

.....Respondent

Through: **Mr. Prashant Mendiratta, Mr. Sanchit
Saini, Ms. Avni Soni, Ms. Vaishnavi
Saxena, Ms. Sakshi Jain, Ms. Sneha
Mathew and Ms. A. Sharma,
Advocates**

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

JUDGMENT (oral)

1. Petitioner is defending a divorce petition filed by her husband. Her husband (respondent herein) entered into witness box and was cross-examined further in terms of the direction given, earlier, by this Court *vide* order dated 04.08.2025 passed in CM(M) 1433/2025.
2. It will be worthwhile to mention that earlier also, the petitioner had approached this Court with prayer that recording of evidence be done before the learned Family Court, instead of it being before Local Commissioner. However, this Court did not find any substance in such prayer and while disposing of the earlier petition on 04.08.2025, on the basis of assurance



given by the petitioner herein that she would provide requisite assistance and co-operation to the learned Local Commissioner, one opportunity was granted to her to cross-examine her husband.

3. Such cross-examination took place on 22.09.2025 and thereafter on 24.09.2025.

4. Since cross-examination was not concluded, learned Local Commissioner sent the file to the Family Court for necessary directions. Learned Family Court, *vide* order dated 26.09.2025, which is impugned herein, has closed her right to further cross-examine her husband. It observed that respondent had already availed the granted opportunity and she could not be permitted to cross-examine PW1 endlessly.

5. Learned counsel for respondent submits that there is huge development in the interregnum as thereafter the petitioner herein did not appear before learned Local Commissioner when it was her turn to lead evidence and considering her such non-appearance, learned Family Court has, even, closed her right to lead evidence on 28.11.2025. Copy of such order was also shown.

6. When asked, Mr. Uttam Datt, learned Senior Counsel submitted that he is not aware about any such order.

7. Be that as it may, fact remains that learned Family Court seems justified in observing that cross-examination cannot go in perpetuity. Moreover, any litigant cannot expect a Supervisory Court to monitor and supervise any such ongoing trial. Interference is permissible only where there is some perversity.

8. As noted, earlier also, the indulgence had given to the petitioner herein on the basis of her assurance that there would be requisite cooperation from



her side. The position, which, however, emerges, is contrary to what she had assured. Therefore, this Court does not find any merit in the present petition. Same is accordingly dismissed.

9. Needless to say, in case petitioner wants to assail subsequent order dated 28.11.2025, of which the learned Senior Counsel and other counsel representing her are, somehow, not aware, it will be open to her to take appropriate judicial remedy, in accordance with law.

10. Pending applications also stand disposed of in aforesaid terms.

(MANOJ JAIN)
JUDGE

DECEMBER 3, 2025/dr/pb