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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CM(M) 2443/2025, CM APPL. 79958/2025 & CM APPL.
79959/2025

MANVI HORA

.....Petitioner

Through: Mr. Vikas Rohtagi, Ms. Aastha
Vashisht, Mr. Pankaj, Mr.
Neeraj Singh, Advs.

versus

ABHINAV BATRA

.....Respondent

Through: Mr. Sanchit Saini, Advocate

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

ORDER
22.12.2025

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1. The petitioner-wife is defending a divorce petition filed by her husband (respondent herein).
2. The case is ripe for hearing final arguments, which is scheduled for 21.01.2026.
3. The grievance of the petitioner herein, however, is to the effect that her opportunity to lead evidence was closed by the learned Trial Court in an arbitrary manner and in violation of principles of natural justice. It is contented that she never waived her right to lead evidence and it was only as per the legal advice given to her that she had, on various earlier occasions, come to this Court and that there was never any deliberate delay on her part.



4. Learned counsel for respondent-husband refutes the above said contentions and while drawing attention of the Court to the various orders passed in the earlier petitions, submit that the petitioner, for the reasons best known to her, has taken the things for granted and is trying her best to delay the disposal of the divorce petition.

5. During arguments, when asked, learned counsel for the petitioner-wife submitted that the petitioner would comply with any direction to be passed in this regard. She also submits that the petitioner-wife is ready and willing to get her deposition recorded before the same learned Local Commissioner who had recorded the evidence of her husband. She also submits that she would not examine any other witness in her support and her affidavit would be filed before the learned Trial Court on 23.12.2025, with advance copy to the opposite side.

6. She submits that since the petitioner/wife is totally dependent upon the maintenance being paid by her husband, she may not be burdened with any cost.

7. Learned counsel for the respondent submits that, though the petitioner-wife does not deserve any further opportunity on any ground whatsoever, he leaves it to this Court to pass appropriate order.

8. This Court is conscious of the fact that the petitioner herein has not led any evidence in support of her case and keeping in mind the overall facts and circumstances of the case and in the interest of justice, though there is no apparent illegality or arbitrariness in the impugned order, the present petition is disposed of with the following directions to the petitioner-wife:-



- (i) Petitioner-wife would submit her affidavit (examination-in-chief affidavit) before the learned Trial Court by 04.00 PM tomorrow i.e. 23.12.2025.
- (ii) The advance copy thereof shall be supplied to respondent/learned counsel for respondent herein.
- (iii) The learned Trial Court would, accordingly, direct the concerned learned Local Commissioner to record her evidence.
- (iv) The petitioner/wife would not be permitted to examine any other witness in her support.
- (v) The fee and expenses of the commission shall be borne by the petitioner wife only.
- (vi) The learned Local Commissioner would fix up date(s) for recording of such evidence after 05.01.2026 and would make best endeavour to complete the recording of evidence on or before 20.01.2026.
- (vii) The petitioner-wife shall fully co-operate and shall scrupulously adhere to the dates and schedule given by the learned Local Commissioner.
- (viii) Needless to say, learned Local Commissioner would give requisite opportunity to the respondent-husband for cross examination.

9. Since the matter is already delayed, this Court expects that both the sides would render due assistance to the learned Trial Court also so that it is in a position to dispose of the case, after hearing final arguments from both the sides.



10. The present petition along with pending applications also stands disposed of in the aforesaid terms.

MANOJ JAIN, J.

DECEMBER 22, 2025/neha/sy