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

+ **CM(M) 234/2026 & CM APPL. 6328/2026**

AMEET SHARRMA

.....Petitioner

Through: Ms. Anita Sahani, Mr. Shivom Garg
and Mr. Tanuj Gulati, Advocates.

versus

DIPAALI SHARRMA

.....Respondent

Through: Mr. Mayank Sapra and Ms. Lalima
Das, Advocates.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

30.01.2026

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1. This hearing has been done through hybrid mode.

CM APPL. 6329/2026 (Exemption)

2. Allowed, subject to all just exceptions. Application is disposed of.

CM(M) 234/2026 & CM APPL. 6328/2026 (stay)

3. The present petition under Article 227 of the Constitution of India, 1950, seeks following prayers:-

- “1. Declare, and grant deemed admission of the petitioner’s documents under Order XII Rule 2A CPC;
2. Direct the Learned Family Court to adjudicate all pending procedural applications excluding those rendered infructuous by deemed admission, as a condition precedent to recording of evidence;
3. Set aside or modify the order dated 05.01.2026 passed in HMA No. 1142/2019 to the extent it fixes the matter for evidence without giving effect to the statutory mandate of Order XII Rule 2A CPC and without deciding pending procedural applications;
4. Stay further trial proceedings, including recording of evidence, pending adjudication of the present petition;



5. Pass any other or further order(s) as this Hon'ble Court may deem fit in the interest of justice."

4. The grievance of the petitioner is that an application under Section 151 of the CPC filed on his behalf for conducting admission/denial of documents is pending adjudication before the learned Family Court since 2017.

5. Learned counsel appearing on behalf of the respondent, who appears on an advance notice, submits that petitioner has never brought the pendency of the application to the knowledge of the concerned Court. It is pointed out that Hon'ble Supreme Court had directed the learned Family Court to decide the subject petition pending before it within a period of 8 months which is going to lapse in April 2026. It is further pointed out that the matter is listed before the learned Family Court for 09.02.2026 for the filing of the evidence affidavit on behalf of the petitioner herein.

6. Be that as it may, learned counsel appearing on behalf of the respondent has no objection, if the application under Section 151 of the CPC filed on behalf of the petitioner for conducting admission/denial of documents is decided prior to the aforesaid date.

7. Accordingly, the present petition is disposed of with a request to the learned Family Court to dispose of the aforesaid application under Section 151 of the CPC filed on behalf of the petitioner for conducting admission/denial of documents filed by the parties.

8. Parties are directed to appear before the concerned learned Family Court on 02.02.2026.

9. Pending application(s), if any, also stand disposed of.

10. Copy of the order be sent to the concerned learned Family Court/learned Principal Judge, Family Courts, South-East District, Saket,



New Delhi, for necessary information and compliance.

11. Order be uploaded on the website of this Court, *forthwith*.

AMIT SHARMA, J

JANUARY 30, 2026/sn/ns