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

+ **CM(M) 960/2026 & CM APPL. 28069/2026 (Stay)**

SONI GUPTA

.....Petitioner

Through: Mr. S.S. Panwar, Ms. Nividita Panwar,
Mr. Rajendra Kanti, Advs.

versus

GAURAV GARG

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

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27.04.2026

1. This hearing has been done through hybrid mode.

CM APPL. 28068/2026 (Exm.)

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

CM(M) 960/2026 & CM APPL. 28069/2026 (Stay)

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

“(a) call for the record of the Ld. Trial/Family court of case HMA NO. 1589/2023 titled as "Sh. Gaurav Garg Vs. Smt. Soni Gupta", pending before court of Sh. Rajesh Kumar, Judge Family Court, North, Rohini Courts, Delhi, which is listed on 28.05.2026 before Ld. Family Court for filing report by LC;

(b) accept the present petition with costs and set aside the impugned order dated 24.03.2026 (ANN:-'P-1'), passed by the court of Sh. Rajesh Kumar, Judge Family Court, North, Rohini Courts, Delhi in HMA NO. 1589/2023 titled as "Sh. Gaurav Garg Vs. Smt. Soni Gupta" on the applications of the respondent herein filed U/5 21-B of HMA R/W Section 151 CPC and U/5 151 CPC, in the interest of justice;



(c) direct the Ld. Family Court to proceed with the case by recording evidence in the court;

(d) pass any other or further order(s), which is this Hon'ble Court deems fit, just and proper in the facts and circumstances of the case in the interest of justice, equity and fair play.

FOR THIS ACT OF KINDNESS, THE HUMBLE PETITIONER SHALL
AS IN DUTY BOUND EVER PRAY”

4. Learned counsel for the petitioner seeks leave to withdraw the present petition with liberty to move an appropriate application before learned Family Court for directions to the local commissioner, so appointed, with respect to the mode, manner, and certain conditions in which evidence would be recorded to ensure that the same is conducted in a smooth manner.
5. Needless to state that on such an application being moved, the learned Family Court shall consider the same in accordance with law.
6. In view of above, the present petition alongwith pending application, if any, stand disposed of.
7. Order be uploaded on the website of this Court, *forthwith*.

AMIT SHARMA, J

APRIL 27, 2026/ab/ns