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

+ **CM(M) 1143/2026 & CM APPL. 32918/2026 (Stay)**

ANAND J DATWANI

.....Petitioner

Through: Ms. Avsi Malik, Ms. Abhinav Sharma
and Mr. Ujjwal Jain, Advocates.

versus

GEETI BHAGAT DATWANI

.....Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

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15.05.2026

1. This hearing has been done through hybrid mode.

CM APPL. 32919/2026 (Exemption)

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

CM(M) 1143/2026 & CM APPL. 32918/2026 (Stay)

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

“a) set aside the Impugned Order dated 21.04.2026 passed by Shri Devender Kumar Garg, Ld. Judge Family Court, PHC, New Delhi, in the matter titled as '*Geeti Bhagat Datwani v. Anand J Datwani*', bearing HMA No. 136/24;

b) grant sufficient opportunity to the Petitioner/Husband to further cross examine and conclude the cross-examination of the Respondent /Wife, in the interest of justice.

c) any other relief(s) this Hon'ble Court deems fit and proper may also be granted in favour of the Petitioner/husband.”

4. *Vide* the impugned order dated 21.04.2026, the learned Family Court



has denied further opportunity to cross-examine PW-1 (respondent herein) except on a question No.76 as mentioned in her cross-examination dated 21.04.2026 as certain documents were untraceable on record.

5. Learned counsel for the petitioner submits that the learned Family Court did not appreciate that further cross-examination of the witness, *i.e.*, PW-1 (respondent herein) was necessary in the interest of justice.

6. The present petitioner had earlier preferred a petition, **CM(M) 2651/2024**, under Article 227 of the Constitution of India challenging the order dated 19.04.2024, whereby the learned Family Court had closed the petitioner's right to cross-examine the PW-1 (respondent herein). The said petition was disposed of by this Court *vide* order dated 09.01.2026 with the consent of the parties in the following terms: -

“6. In view of the aforesaid, with the consent of parties, the order dated 19.04.2024 is set aside, subject to payment of Rs. 25,000/- to be paid to the respondent by the petitioner before learned Judge, Family Court, Patiala House Courts, New Delhi.

7. The petitioner is granted one more opportunity to cross-examine the respondent. The learned Family Court is requested to fix two dates, *i.e.*, 17.02.2026 (the date already fixed before it) and one another date (subsequent to 17.02.2026), to conclude the cross-examination. It is made clear that if the petitioner will not be able to conclude the cross-examination on the said two dates, no further opportunity shall be granted.

8. With the aforesaid direction, the petition is disposed of.”

7. Perusal of the impugned order dated 21.04.2026 reflects that the petitioner, in pursuance of the aforesaid direction, cross-examined the PW-1 on two dates, *i.e.*, on 17.02.2026 and 21.04.2026. The said order further notes that on 17.02.2026, 27 questions were asked on behalf of the petitioner and



on 21.04.2026, 76 questions were put to PW-1. *Vide* the aforesaid order dated 09.01.2026 in **CM(M) 2651/2024**, this Court had granted two dates to cross-examine the witness with the consent of learned counsel for the petitioner. Perusal of the impugned order dated 21.04.2026 would reflect that the petitioner has been provided sufficient opportunity to cross-examine the witness-PW-1 (respondent). Insofar as one document which could not be traced, the learned Family Court has already given an opportunity to cross-examine the respondent on that account.

8. In these circumstances, this Court finds no reason to interfere with the impugned order dated 21.04.2026. Accordingly, the present petition is dismissed and disposed of.

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

10. Copy of this order be sent to the learned Family Court for necessary information and compliance.

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

AMIT SHARMA, J

MAY 15, 2026/bsr/ns