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

+ **CM(M) 1176/2026 & CM APPL. 34073/2026(stay)**

VANDANA

.....Petitioner

Through: Ms. Jyoti Gupta, Adv. with petitioner
in-person.

versus

JITESH KUMAR

.....Respondent

Through: Ms. Seema Seth, Mr. Sourav Kuma,
Adv. with the respondent in-person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **19.05.2026**

1. This hearing has been done through hybrid mode.

CM APPL. 34074/2026 (Exemption)

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

CM(M) 1176/2026 & CM APPL. 34073/2026(stay)

3. The present petition under Article 227 of the Constitution of India, 1950, read with Section 151 of the CPC seeks the following prayers:-

“(a) Set aside the Order Dated 11.05.2026 passed by the Court of Ms. Navita Kumari Bagha, Ld. Additional Principal Judge, Family Court, South -West, Dwarka, New Delhi in HMA NO. 2431/2022 with title "JITESH KUMAR VS. VANDANA", whereby application under Order 26 Rule 9 CPC preferred by the Respondent seeking appointment of Local Commissioner was allowed; and



(b) Any other or further order/relief which this Hon'ble Court may deem fit and proper and also in the interest of justice, may also be passed in favour of the petitioner.”

4. After some arguments, learned counsel for the petitioner seeks leave to withdraw the present petition with a prayer for accommodation by the Local Commissioner for permitting the petitioner's counsel to cross-examine respondents' witnesses in the beginning of July 2026. Learned counsel for the respondent has no objection to this request.
5. In view of the above, the present petition is dismissed as withdrawn and disposed of.
6. Learned Local Commissioner is requested to accommodate learned counsel for the petitioner, and fix the date for cross-examination of the respondents' witnesses at the joint convenience of the parties beginning from 1st week of July 2026.
7. Pending application(s), if any, also stands disposed of.
8. Copy of the order be sent to the learned Principal Judge, Family Court, South-West, Dwarka, Delhi, as well as concerned Local Commissioner for necessary information and compliance.
9. Order be uploaded on the website of this Court, *forthwith*.

AMIT SHARMA, J

MAY 19, 2026/nk/ns