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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 4065/2023

ANAND PRAKASH GUPTA

..... Petitioner

Through: Mr. R. S. Mishra and Mr. Anand
Mishra Advocates. (M:9716107401)

versus

THE STATE, GOVT. OF NCT OF DELHI AND ORS... Respondents

Through: Ms. Rachita Garg, Advocate
alongwith Mr. Nipun Katahar,
Advocate for R- 1 to 3 (M:
8800832474).
Mr. Sahil Aeron & Mr. Vaibhav Jain,
Advocate for R-5 with R-5 in person
(M: 8447465059).
Mr. Atul Kansal, R-4 present in
person (M: 7838468343).

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

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12.04.2023

1. This hearing has been done through hybrid mode.

CM APPL. 17560/2023 (under order VI rule 17 CPC)

2. An application for amendment has been moved pursuant to the previous order amending and deleting various pleas. The Court has perused the amended list and amended dates of events.

3. Considering that notice is yet to be issued in the matter, the amended synopsis and the amended writ petition are taken on record.

4. Application is allowed leaving all the contentions of the Respondents open.



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5. The Petitioner is aggrieved by the impugned order passed by the Id. Divisional Commissioner dated 28th November, 2022 by which the eviction petition filed by him has been dismissed.
6. Issue notice to the Respondents. Mr. Sahil Aeron, Id. counsel accepts notice on behalf of Respondent No.5, i.e., daughter-in-law. Ms. Rachita Garg, Id. counsel accepts notice on behalf of Respondent Nos. 1 to 3.
7. The Respondent Nos. 4 and 5 are present in Court. They have a small daughter who is a minor. Various criminal complaints have been filed amongst the family members. Proceedings under Protection of Women from Domestic Violence Act, 2005 are also pending and divorce proceedings filed by the husband are also pending.
8. Considering the fact that the parties are embroiled in multiple litigations, it is deemed appropriate to refer the entire dispute to Delhi High Court Mediation and Conciliation Centre. A Senior Mediator shall be appointed in this matter to mediate the disputes between the parties not only in the present petition but also in all the other pending litigations.
9. The parties i.e., the Petitioner and Respondent Nos. 4 and 5 shall be personally present for the mediation proceedings. The same shall be conducted in quick succession and a report shall be placed before the Court by the next date of hearing.
10. It is directed that none of the parties shall proceed further any criminal complaints or other cases which they may have filed against each other before any forum, Tribunal or authority. If the mediator deems it necessary, caucus hearings, may also be held only between the husband and the wife i.e. Respondent Nos. 4 and 5.



11. List before the Delhi High Court Mediation and Conciliation Centre on 19th April, 2023 at 4:00 pm.
12. List before the Court on 29th May, 2023.

PRATHIBA M. SINGH, J.

APRIL 12, 2023

mr/am