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

+ **CM(M) 2625/2024**

SIDDHARTH BREJA

.....Petitioner

Through: Ms. Anantikka Singh, Advocate.

versus

NEHA DUA BREJA

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

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08.07.2024

CM APPL. 37656/2024(exemption)

Exemption allowed, subject to all just exceptions.

CM APPL. 37655/2024(for seeking correction)

1. Present application has been filed under Section 151 CPC for seeking correction of typographical errors in order dated 21.05.2024.
2. When this petition was taken up by the predecessor Bench on 21.05.2024, it was observed as under in para 9.

“9. Learned counsel submits that the learned Judge Family Court not erred in passing the impugned order without taking into consideration that it was the respondent who had invoked the jurisdiction of the Court in USA and pressed for judicial separation which later on was converted into a divorce petition”

3. Learned counsel for the petitioner submits that her contention before this Court was specific to the effect that the learned Judge, Family Court had erred in passing the impugned order but in the first line, it has been recorded as if her submission was that there was no error in the impugned order.
4. It is also submitted by Ms. Singh, learned counsel appearing for petitioner that in para 8 of order dated 21.05.2024, there is one more

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typographical error. It is submitted that the petition under Section 13(1)(ia) of Hindu Marriage Act, had been preferred by the petitioner on 10.08.2021 but, somehow, such date has been recorded as 06.01.2024 in 3rd line of para 8 which reads as under:

“8. It is submitted that the petition under Section 13 (1) (ia) of Hindu Marriage Act was preferred by the petitioner before the learned Judge, Family Court on 06.01.2024 which is pending trial. It is further submitted that petitioner preferred an application on 05.07.2023 before the learned Judge Family Court for consideration of the order dated 22.12.2022 under Section 13 of the CPC read with Section 151 CPC passed by Superior Court of California, County of San Francisco, USA.”

5. None has appeared on behalf of the respondent.

6. It seems that there is some error while recording the submission made by the learned counsel for the petitioner and these are inadvertent typographical errors.

7. Accordingly, the application is allowed. The para 8 and 9 of order dated 21.05.2024 would now read as under:

“8. It is submitted that the petition under Section 13 (1) (ia) of Hindu Marriage Act was preferred by the petitioner before the learned Judge, Family Court on 10.08.2021 which is pending trial. It is further submitted that petitioner preferred an application on 05.07.2023 before the learned Judge Family Court for consideration of the order dated 22.12.2022 under Section 13 of the CPC read with Section 151 CPC passed by Superior Court of California, County of San Francisco, USA.”

9. Learned counsel submits that the learned Judge Family Court erred in passing the impugned order without taking into consideration that it was the respondent who had invoked the jurisdiction of the Court in USA and pressed for judicial separation which later on was converted into a divorce petition”

8. This order be also uploaded as corrigendum to order dated 21.05.2024. Application stands disposed of.

MANOJ JAIN, J

JULY 8, 2024/sw

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