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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CRL.REV.P.(MAT.) 270/2025, CRL.M.A. 17269/2025,
CRL.M.A. 17270/2025 & CRL.M.A. 17271/2025

AVINASH PAREEKPetitioner

Through: Ms. Hena Lamba, Adv.

versus

USHMA TYAGIRespondent

Through:

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

% **29.05.2025**

1. The present petition is filed challenging the orders dated 26.11.2024 and 04.02.2025 passed by the learned Judge, Family Court in MT Case No. 162/2021.
2. By order dated 26.11.2024, the petitioner was proceeded *ex parte* on account of non-appearance.
3. The application seeking recall of the order dated 26.11.2024 was dismissed by order dated 04.02.2025, noting the conduct of the petitioner that, despite repeated opportunities, he had failed to file written statement. Undisputedly, the petitioner has not been diligent in pursuing the matter.
4. As noted by the learned Trial Court, the petitioner, on various occasions, was given time to file written statement and a last opportunity for the same was granted on 06.09.2024.
5. The learned counsel for the petitioner submits that the parties were trying to re-concile which led to delay in filing the written statement. She submits that the written statement is ready and will be filed as and when permitted by this Court.



6. Though, no infirmity could be found in the order passed by the learned Family Court, however, considering that the matter relates to a matrimonial dispute, this Court is of the opinion that one final opportunity be granted to the petitioner to participate in the proceedings on him adequately compensating the respondent for the delay caused.
7. Issue notice.
8. Notice be served through all permissible modes.
9. The petitioner is permitted to serve the respondent through the learned counsel who represents the respondent before the learned Trial Court.
10. The learned Trial Court is directed not to proceed with the matter till the next date of hearing.
11. List on 28.07.2025.

AMIT MAHAJAN, J

MAY 29, 2025
“SS”