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\* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ MAT.APP.(F.C.) 205/2024 & CM Nos.36654-57/2024

SMT KUSUM LATA @ RATNESH

.....Appellant

Through: Mr Tarun Kumar, Adv. for Mr Mohan  
Kumar, Adv.

versus

HIMMAT SINGH

.....Respondent

Through: None.

**CORAM:**

**HON'BLE MR. JUSTICE RAJIV SHAKDHER**

**HON'BLE MR. JUSTICE AMIT BANSAL**

**ORDER**

% **04.07.2024**

[Physical Hearing/Hybrid Hearing (as per request)]

**CM No.36656/2024**

1. Allowed, subject to just exceptions.

**MAT.APP.(F.C.) 205/2024, CM No.36654/2024 [Application filed on behalf of the appellant seeking condonation of delay of 184 days in filing the appeal] , CM No.36655/2024 [Application filed on behalf of the appellant seeking interim relief] & CM No.36657/2024 [Application filed on behalf of the appellant seeking condonation of delay of 1 day in re-filing the appeal]**

2. Mr Tarun Kumar, Advocate, seeks accommodation on the ground that the main counsel in the matter, who appears on behalf of the appellant, i.e., Mr Mohan Kumar has taken ill.

3. We may note that this appeal has been preferred against the impugned judgment and decree dated 27.09.2023, passed by Mr Vipin Kumar Rai, Judge, Family Court – 01, Dwarka, New Delhi.

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4. The appellant had filed a suit for declaration, seeking relief *qua* half share of the subject property.
5. The appellant claims to be the second wife of the respondent.
- 5.1 The respondent's first wife, whose name was also Kusumlata, had died leaving behind three (03) children.
6. The record seems to disclose that the appellant's maiden name was Ratnesh.
6. 1 It is also the assertion of the appellant that after her marriage with the respondent, her name was changed to Kusumlata which, as indicated above, was the name of the deceased first wife of the respondent.
- 6.2 These aspects of the matter will be examined on the next date of hearing.
7. List the matter on 28.08.2024.

**RAJIV SHAKDHER, J**

**AMIT BANSAL, J**

**JULY 4, 2024**

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[Click here to check corrigendum, if any](#)