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IN THE HIGH COURT OF DELHI AT NEW DELHI

CM(M) 1121/2022 & CM APPL. 45315/2022 -Stay

RITA SWAMI CHOUDHRY Petitioner

Through: Ms Jyotika Kalra, Adv.

versus

HARKESH KUMAR

..... Respondent

Through:

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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08.02.2023

CM APPL. 45316/2022 -Ex

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

CM(M) 1121/2022 & CM APPL. 45315/2022 -Stay

3. The present petition, preferred by the wife, who is respondent in HMA No. 148/2020, assails the order dated 24.09.2022 passed by the learned Family Court. Vide the impugned order, the learned Family Court has rejected the petitioner's prayer for recalling the respondent - her estranged husband, for cross-examination.
4. Learned counsel for the petitioner submits that the primary ground on which the learned Family Court has rejected the petitioner's prayer is that the petitioner was present in the Court when the respondent was being cross-examined on 04.04.2022 and therefore, she cannot now seek further opportunity to cross-examine him on the ground that her erstwhile counsel did not properly cross-examine him.



5. Upon the petitioner taking steps, issue notice to respondent no. 1 through all permissible modes.
6. List on 24.04.2023.

FEBRUARY 8, 2023
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REKHA PALLI, J