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

+ **CM(M) 1121/2022**

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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28.02.2023

CM APPL. 9806/2023- Int. Relief.

1. This is an application filed by the petitioner seeking interim stay of the proceedings pending before the learned Family Court.
2. Learned counsel for the petitioner submits that the parties are still endeavouring to resolve the matter amicably, for which purpose, the matter is listed before the learned Mediator on 18.03.2023. The learned Family Court has, however, failed to take this aspect into consideration and has instead fixed the matter for petitioner's examination today, i.e., 28.02.2023. She contends that once the parties are still mediating, the insistence of the learned Family Court on the petitioner tendering her evidence was wholly unjustified. She, therefore, prays that the proceedings before the learned Family Court be stayed till the next date.
3. Upon the petitioner taking steps, issue notice to the respondent through all permissible modes. Notice be additionally issued to the counsel appearing for the respondent before the learned Family Court.



4. Reply, if any, be filed within four weeks. Rejoinder thereto, if any, be filed within two weeks thereafter.
5. List on the date already fixed i.e. 24.04.2023.
6. Taking into account that the parties are still endeavouring to settle the matter amicably, the proceedings before the learned Family Court will remain stayed till the next date.

FEBRUARY 28, 2023/sr

REKHA PALLI, J