



\$~6

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

+ **CM(M) 2204/2025**

WG CDR RETD RAKESH LAL KAPURPetitioner

Through: **Mr. Nishant Kishore, Advocate**
Mobile No.9818291199

Versus

SMT SUMEETA TULI KAPUR & ANR.Respondents

Through: **Respondent no.1 in person**

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

% **26.11.2025**

CM APPL. 71991/2025 (for exemption) and **CM APPL. 71992/2025** (for exemption from filing of complete Trial Court record)

1. Allowed, subject to all just exceptions.
2. As such, the applications are disposed of.

CM(M) 2204/2025 & CM APPLS. 71990/2025 (stay)

3. By virtue of the present petition, the petitioner seeks setting aside of the orders dated 21.08.2025 and 02.04.2025 passed by Learned Family Court-II, South District, Saket Court, Delhi (*learned Family Court*) in the matter titled “**WG CDR Rakesh Lal Kapur Retd. Vs. Sumeeta Tuli Kapur &Anr.**” being HMA No. 458/2024, whereby the learned Family Court had allowed the belated Written Statement filed by the Respondent No. 1.

4. *Succinctly put*, it is the case of the petitioner that there has been an inordinate delay in filing of the Written Statement filed by the respondents as under:-



“- Delay of 313 days from the completion of service on Respondent No. 1;

- Delay of 271 days from the transfer of the subject case by this Hon’ble Court;

- Delay of 204 days from the first date when the subject case was listed before the transferred Trial Court i.e. since 10.09.2024;

- Delay of 109 days from extended period of 4 weeks granted by the Learned Trial Court vide order dated 16.11.2024 i.e. since 14.12.2024.”

5. Moreover, learned counsel for the petitioner submits that no application seeking condonation of delay had been filed by the respondent no.1 *qua* the belated filing of the Written Statement.

6. Issue notice.

7. Respondent no.1 appearing in person accepts notice. She seeks and is granted a period of *four weeks* for filing a reply.

8. Rejoinder thereto, if any, be filed within a period of *two weeks* thereafter.

9. On petitioner taking requisite steps within a period of *one week*, issue notice to the respondent no. 2 by all modes, returnable on 17.02.2026.

10. At this stage, learned counsel for the petitioner seeks a period of *two weeks* for filing a replication before the learned Family Court *qua* the matter being HMA No. 458/ 2024.

11. In the wake of the above submission, the petitioner is permitted to file his replication before the learned Family Court without prejudice to his rights and contentions so that the pending proceedings therein may continue.



12. Accordingly, renotify on 17.02.2026.

SAURABH BANERJEE, J

NOVEMBER 26, 2025/So