



\$~4

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

+ **MAT.APP.(F.C.) 80/2018 and CM APPL. 14430/2018**

**KANTA RANI**

..... Appellant

Through: Mr. Aditi Gupta, Advocate with  
appellant in person.

versus

**SUNIL KUMAR**

..... Respondent

Through: Mr. Arun Kumar Sharma, Mr. Vaibhav  
Sharma and Mr. Anurag Saxena, Advocates.

**CORAM:**

**HON'BLE MS. JUSTICE HIMA KOHLI**

**HON'BLE MS. JUSTICE ASHA MENON**

**ORDER**

%

**18.09.2019**

1. A reply to the application has not been filed by the respondent despite repeated opportunities granted to him. Even on the last date of hearing i.e., on 23.5.2019, last opportunity of four weeks is granted to the respondent to file a reply, failing which we had made it clear that the application shall be considered and orders passed thereon without awaiting a reply.

2. Today, learned counsel for the respondent states that a reply was filed in the Registry yesterday. Knowing very well that the matter is listed today, there was no reason for the respondent to have filed a reply yesterday, more so, when the timeline granted to file the reply mentioned in the order dated 23.5.2019 was four weeks. Ideally, the application ought to be heard and decided today itself. However, in the interest of justice, the reply is

**MAT.APP.(F.C.) 80/2018**

**Page 1 of 2**



permitted to be taken on record, subject to payment of costs of Rs.5,000/- to the appellant through counsel within one week.

3. It is made clear that if the reply is not on record on the next date of hearing, then without awaiting the same, arguments shall be directed to be addressed on the application.

4. List on 10.03.2020.

**HIMA KOHLI, J**

**ASHA MENON, J**

**SEPTEMBER 18, 2019**

ap/rkb

**MAT.APP.(F.C.) 80/2018**

**Page 2 of 2**