



HIGH COURT OF JUDICATURE AT ALLAHABAD

FIRST APPEAL No. - 210 of 2019

Deepa

.....Appellant(s)

Versus

Deepak Kumar

.....Respondent(s)

Counsel for Appellant(s) : Manoj Kumar Singh, Rafiq Anees Khan, Rajesh Kumar Singh, Sudhir Kumar (Chandraul)

Counsel for Respondent(s) : Hemant Kumar, Mohd. Akbar Shah Alam Khan, Pradeep Kumar Keshri, Prem Narayan Tiwari, Sanjiv Kumar Dwivedi, Tahir Husain, Vivek Tripathi

Court No. - 39

**HON'BLE ARINDAM SINHA, J.
HON'BLE SATYA VEER SINGH, J.**

1. The appeal has been listed and called on pursuant to our earlier order dated 12th November, 2025. Text of said order is reproduced below.

"1. The appeal was directed to be listed today by our earlier order dated 29th October, 2025. Paragraph 2 from said order is reproduced below.

"2. To give final opportunity for appellant to appear and prosecute the appeal, we direct Mr. Dwivedi to intimate website copy of this order to the learned advocate and file acknowledgement on adjourned date. It is made clear, in event appellant goes unrepresented, the appeal will be dismissed."

2. Ms. Rafiq Anees Khan, learned advocate appears on behalf of appellant and submits, her client's instruction is to not press the appeal. Mr. Sanjiv Kumar Dwivedi, learned advocate appears on behalf of respondent.

3. On query Ms. Khan submits, she and her senior obtained change from erstwhile learned advocate engaged by appellant. The Vakalatnama was filed. We do not find it in the record.

4. Ms. Khan will approach the Registry with website copy of this order and assist in locating the Vakalatnama. If it cannot be found, fresh Vakalatnama with endorsement of 'No Objection' from erstwhile learned

advocate must be filed on adjourned date, for us to act on the submission that appellant does not want to prosecute.

5. List on 25th November, 2025 mark at 02:00 P.M."

2. The Vakalatnama has been located. It bears signature of only Mr. Sudhir Kumar Chandraul, learned advocate. Mr. Chandraul submits, he is here to assist us because subsequent to him having had accepted the *Vakalatnama*, he was empanelled and therefore, cannot any more appear for private litigants. His junior Ms. Rafiq Anees Khan also appears. So does Mr. Sanjiv Kumar Dwivedi on behalf of respondent.

3. We find, the located *Vakalatnama* was accepted by only Mr. Chandraul, learned advocate. However, it was executed by appellant in favour of both Mr. Chandraul and his junior Ms. Rafiq Anees Khan. On query Ms. Khan submits, she will accept the *Vakalatnama* here and now. The *Vakalatnama* is given to her and she appends her signature in acceptance thereof.

4. The appeal stands preferred against judgment dated 24th December, 2018 dissolving the marriage. Appellant was wife. Respondent is opposing the appeal. At this stage, Ms. Khan submits, she would want to once again confirm on her instruction or otherwise give 'no objection' in event appellant wants to engage some other learned advocate.

5. The appeal is adjourned for Ms. Khan to obtain instruction/give 'no objection'. In event she does not get any instruction and appellant also omits to appoint some other learned advocate, she must appear on adjourned date and seek leave to retire, upon confirming that she has informed website copy of this order to appellant.

6. List on 16th December, 2025 marked at 02.00 p.m.

(Arindam Sinha,J.)

(Satya Veer Singh,J.)

November 25, 2025

Salim