

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Civil) No(s).20333/2009

(From the judgement and order dated 06/03/2009 in
of The HIGH COURT OF DELHI AT N. DELHI)

CR No. 31/2009

ANURAG MITTAL

Petitioner(s)

VERSUS

RACHANA AGGARWAL

Respondent(s)

(With prayer for interim relief)

Date: 11/01/2010 This Petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE R.V. RAVEENDRAN
 HON'BLE MR. JUSTICE K.S. RADHAKRISHNAN

For Petitioner(s) Petitioner-In-Person

For Respondent(s) Mr. Vinay Garg, Adv.
 Mr. Rajesh Yadav, Adv.
 Ms. Jyoti Sharma, Adv.

UPON hearing counsel the Court made the following
O R D E R

Learned counsel for the respondent brought to the notice of the Court that subsequent to the filing of this petition, the main petition pending before the trial Court was allowed on 31.3.2009 and a decree for divorce has been granted, and consequently, this petition has become infructuous.

The petitioner, who appears in person, submitted that this SLP having been filed prior to 31.8.2009, the trial Court ought not to have finally disposed of the matter and that this SLP should not be treated as having become infructuous.

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ITEM NO.44 COURT NO.5 DATED 11/1/2010 ...contd.

As there was no stay, the trial Court cannot be found fault with for disposing of the matter. It is open to the petitioner, if and when he challenges the decree for divorce, to raise all contentions including the

contention that he was not given adequate opportunity to
let in evidence. It is needless to say that if such
contention is urged, the appellate Court will have to
examine that contention and deal with it in accordance
with law.

Special leave petition is, accordingly, dismissed.

(Ravi P. Verma)
Court Master

(M.S. Negi)
Court Master