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P vs.m

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SooperKanoon Citation : sooperkanoon.com/1212310

Court : Delhi

Decided On : Jan-29-2018

Appellant : P

Respondent : M

Advocate for Pet/Ap. : Mr. Nalin Tripathi, Mr. A. Petitioner Vashishtha

Judgement :

$~42 * % + IN THE HIGH COURT OF DELHI AT NEW DELHI Date of Decision:

29. h January, 2018 CM(M) 107/2018 & CM No.3387/2018 P M Through: Mr. Nalin Tripathi and Mr. A. .....

... Petitioner
Vashishtha, Advs. versus Through: ..... Respondent CORAM: HON'BLE MR. JUSTICE J.R. MIDHA JUDGMENT (ORAL) CM No.3387/2018 Allowed, subject to just exceptions. MAC.APP.107/2018 1. The petitioner has challenged the order dated 11th December, 2017 whereby the learned Family court has allowed the respondents application under Order VII Rule 14 of Code of Civil Procedure and has taken 33 additional documents on record.

2. Learned counsel for the petitioner submits that the issues were framed on 15th April, 2017 and the documents have been filed after the framing of issues on 17th May, 2017. It is submitted that the documents should not be taken on record because of the delay in filing the same. It is further submitted that the documents

are well within the possession of the CM(M) 107/2018 Page 1 of 2 respondent and the respondent ought to have filed these documents before framing the issues. It is further submitted that if the said documents are taken on record, the petitioner should be given opportunity to rebut the said documents.

3. Learned counsel for the petitioner has produced the copy of the documents taken on record by the Claims Tribunal by the impugned order.

4. This Court is of the view that there is no infirmity in the impugned order by which the learned Family Court has taken the respondents documents on record. There is no substantial delay in filing of the documents. The petitioner is at liberty to approach the Family Court if she wants to file any documents in response to the documents filed by the respondents.

5. 6. The petition is dismissed. Copy of this judgment be given dasti to learned counsels for the parties under signature of Court Master. JANUARY29 2018 ak J.R. MIDHA, J.

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