

(2020) 08 DEL CK 0045

In the Delhi High Court

Case No : Civil Miscellaneous (Main) No. 406 Of 2020

Bharat Singh Rawat

APPELLANT

Vs

Poonam Singh Rawat

RESPONDENT

Date of Decision : 10-08-2020

Acts Referred:

Hindu Marriage Act, 1955 — Section 9

Citation : (2020) 08 DEL CK 0045

Hon'ble Judges : Sanjeev Sachdeva, J

Bench : Single Bench

Final Decision : Disposed Of

Judgement

Sanjeev Sachdeva, J

1. The hearing was conducted through video conferencing.
2. Petitioner by this petition seeks a direction to the Trial Court to set aside order dated 27.06.2020 and a further direction to the Trial Court to also take up the petition filed under Section 9 of the Hindu Marriage Act through video conferencing along with the guardianship petition filed by the petitioner.
3. Respondent who is present in Court through video conferencing submits that she had no information about the hearing before the Trial Court and as such could not appear before the Trial Court on 27.06.2020. She, however, submits that she has no objection to the petitions being taken up by video conferencing. She submits that she does not have any advocate and cannot afford an advocate.
4. In view of the above, the petition is allowed. The Trial Court is directed to take up the petition filed under Section 9 of the Hindu Marriage Act

along with the guardianship petition which is stated to be pending before the Trial Court and listed tomorrow.

5. In case a request is made by the respondent before the Trial Court, the Trial Court shall ensure that a legal aid counsel, if not already appointed, is

provided to the respondent to defend her cases.

6. Respondent submits that since her children have to connect to school using the same video conferencing system, the Trial Court proceedings be

taken up after lunch.

7. The Trial Court shall take due cognizance of the submission of the respondent and appropriately try and adjust the time for hearing of the petitions.

8. The petition is accordingly disposed of in the above terms.

9. Copy of the Order be uploaded on the High Court website and be also forwarded to learned counsels through email.