

HMA No. 585/16

S. [REDACTED] vs. K. [REDACTED]

23.10.2017

Present Petitioner alongwith Sh. Vivek Aggarwal, Adv.
Sh. Vineet Aggarwal, Adv. for the respondent

Counsel for the petitioner submits that matter could not be settled in mediation. It is further submitted that advance copy of reply to application U/s 24 of HMA has been supplied to counsel for respondent and the same shall be filed on record within a week due to unavailability of the Oath Commissioners.

Parties are also directed to file income-assets affidavit in terms of order passed by the Hon'ble High Court in FAO no. 369/1996 dated 29.05.2017-Kusum Sharma Vs Mahinder Kumar Sharma as prayed by counsel for respondent.

Respondent is also directed to file written statement within a period of three weeks with an advance copy to counsel for the petitioner, failing which opportunity to file the same shall stand closed.

Counsel for the petitioner submits that an application dated 12.08.2016 has also been filed for preserving the call detail records of phone numbers 9 [REDACTED] 9 [REDACTED], [REDACTED] & 7 [REDACTED], as referred in the application. However, the name of the service provider has not been specified in the application.

During the course of submissions, it is agreed by both the counsels that let call detail records may be directed to be preserved without prejudice to the rights and contentions to be raised/addressed by the parties on the point of relevance and summoning at relevant stage.

In the facts and circumstances the concerned service provider are directed to preserve the call detail records of phone numbers as referred in the application till the date.

Concerned service provider shall be served with the copy of order by the counsel for the petitioner at his responsibility since the name of the service provider has not been specified in the application. The call detail records shall not be provided by the service provider to either of the parties without orders of this court except for any connection which stands in the name of the respective parties.

Put up on 05.03.2018.

(A.K. Mendiratta)
Principal Judge (North-West)
Family Court, Rohini, Delhi
23.10.2017

Office of the Principal Judge
Family Court, Rohini, N. Delhi
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