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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

% **Date of Decision: 01<sup>st</sup> May, 2025**

+ **CM(M) 800/2025 & CM APPL. 26197/2025**

**RIYA DAGA** .....Petitioner

Through: **Mr. Tanmay Mehta with Mr. Manan  
Batra and Ms. Bharti Bhatt,  
Advocates.**

versus

**SAURABH DAGA** .....Respondent

Through: **None.**

**CORAM:**

**HON'BLE MR. JUSTICE MANOJ JAIN**

**JUDGMENT (oral)**

1. Petitioner has filed a petition seeking divorce under Section 13(1)(ia) of Hindu Marriage Act, 1955.
2. Such petition was instituted on 25.04.2024.
3. The grievance herein is, merely, to the effect that despite the fact that the husband of petitioner was duly served, he has not even filed written statement so far and, as on date, more than one year has elapsed. According to her, service, in any case, got effected on or before 07.08.2024 as he was duly represented before the learned Trial Court on 07.08.2024.
4. It is submitted that the matter was taken up on various subsequent occasions and the parties were even referred for mediation, the result of which was not positive. It is contended that there is no point in relegating the parties to mediation, time and again.
5. Mr. Tanmay Mehta, learned counsel for the petitioner, during course of the arguments, apprised that the petitioner tried her level best to find out an amicable solution but despite her best efforts, there does not seem to be any chance of any amicable solution and, therefore, the learned Principal Judge,



Family Courts may be requested to proceed with the matter.

6. The next date before the learned Principal Judge, Family Courts is stated to be 19.05.2025 and the case is fixed for completion of pleadings, admission/denial of documents and framing of issues.

7. When the matter was taken up by the learned Principal Judge, Family Courts on 25.02.2025, it, in no uncertain terms, observed that in case the matter was not settled, the written statement shall be filed within two weeks and if the written statement is to be filed thereafter, then the reason for delay in filing the same, be also divulged.

8. Indubitably, the persistent and constant efforts need to be made for amicable resolution and to that extent, the approach of learned Trial Court is very appropriate.

9. The above matter is now coming up for hearing before the learned Principal Judge, Family Courts on 19.05.2025 and keeping in view overall facts, the present petition is disposed of with direction to the petitioner to make requisite request in this regard before the learned Trial Court. This Court expects that since the petitioner is no longer interested in mediation and since despite her efforts, there is no amicable settlement coming her way, it may proceed with the matter and takes it to a logical end, as expeditiously as possible.

10. The petition stands disposed of in aforesaid terms.

11. All the pending applications also stand disposed of accordingly.

**(MANOJ JAIN)  
JUDGE**

**MAY 01, 2025/st/js**