



2026:DHC:5717



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

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Date of Decision: 17.07.2026+ **CRL.REV.P.(MAT.) 513/2025, CRL.M.A. 20822/2026 & CRL.M.A. 20821/2026**

NAVEEN KUMAR

.....Petitioner

Through: Mr. Gaurav Kumar and Mr. Mukesh Kumar, Advocates (*through videoconferencing*).

versus

KUSUM & ANR.

.....Respondents

Through: Ms. Sampanna Pani, Ms. Sejal Jain and Mr. Gagandeep T., Advocates

CORAM: JUSTICE GIRISH KATHPALIA**J U D G M E N T (ORAL)**

1. Learned counsel for petitioner appearing on advance intimation accepts notice of application for vacation of stay of trial court proceedings.
2. It is submitted by learned counsel for both sides that this entire petition can be disposed of with consent.
3. It appears that the present petitioner/husband challenged the order passed by the learned Principal Judge, Family Court, thereby dismissing the application of the present petitioner for summoning the witnesses. It is at the



stage when the matter was fixed for final judgment, the present petition was filed by the petitioner/husband and vide order dated 26.11.2025, the learned predecessor bench stayed the proceedings before the trial court till next date, which order continues till date. In paragraph 4 of order dated 26.11.2025, the learned predecessor bench specifically recorded that request of the present petitioner is confined to examination of only one witness from the office of M/s Brickredsys India Private Limited and no other.

4. Today, learned counsel for respondent no. 1 contends that as per settled legal position, when a matter is listed for pronouncement of judgment, it is not appropriate for the superior court to stay the proceedings. It is also submitted that the learned trial court has adjourned the matter *sine die* since this matter could not reach hearing on past many dates.

5. On the other hand, learned counsel for petitioner submits that he wants to examine only one witness from M/s Brickredsys and earlier also, the same witness was examined as witness of the present respondent but could not be effectively cross-examined.

6. It is in the above backdrop that with consent of both sides, this petition is disposed of, directing the learned Family Court to take up the matter on 21.07.2026 at 02:00pm and thereafter fix one date for examination of witness to be summoned by the present petitioner from M/s Brickredsys. The present petitioner shall be granted one and only one opportunity to examine the said witness and in case the summons sent to witness from M/s



Brickredsys return unserved or the witness does not turn up despite service of summons, the matter shall be closed and posted for final arguments, followed by the pronouncement of judgment. In order to ensure effective compliance of this order, neither side shall seek adjournment before the Family Court on any ground whatsoever.

7. Next date of 15.10.2026 stands cancelled. Accompanying applications also stand disposed of.

8. Copy of this order be **immediately** transmitted to the learned Family Court.

**GIRISH KATHPALIA
(JUDGE)**

**JULY 17, 2026
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