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

Date of decision: 08.09.2026

CNR No. DLHC010287622026

+ CM(M) 1429/2026, CM APPL. 42374/2026 (Stay), CM APPL. 42375/2026 (Ex.) & CM APPL. 42376/2026 (Ex. From filing the complete TCR)

ANKITA PRIYADARSHINI

.....Petitioner

Through: Mr. Aayush Agarwala and Ms. Mukti Heliwal, Advocates along with Petitioner in person.

versus

ARPAN SAXENA

.....Respondent

Through: Mr. Gitesh Aneja, Advocate.

CORAM:

HON'BLE MR. JUSTICE HARISH VAIDYANATHAN SHANKAR

% **JUDGEMENT (Oral)**

1. The present Petition, filed under Article 227 of the Constitution of India, 1950, seeks to assail the **Order dated 16.05.2026¹** passed by the **learned Principal Judge, Family Court, South-West District, Dwarka, New Delhi²**, whereby the Application preferred by the Petitioner seeking striking off of the Written Statement, filed by the Respondent on the ground that the same had allegedly been fraudulently inserted in the judicial record, came to be dismissed.

2. The Petitioner, in addition to seeking setting-aside of the

¹ Impugned Order

² learned Family Court



Impugned Order, seeks a direction for striking off the aforesaid Written Statement and the subsequent Evidence Affidavit filed by the Respondent] before the learned Family Court.

3. Having regard to the nature and gravity of the allegations raised in the present Petition, particularly those alleging manipulation and fraudulent insertion of documents in the judicial record, this Court considered it appropriate to call for a Report from the concerned Family Court.

4. Pursuant thereto, the learned Principal Judge, Family Court has submitted a **Report dated 25.07.2026³** after examining the entire record pertaining to HMA No. 556/2021, titled “*Ankita Priyadarshini v. Arpan Saxena*”. The aforesaid Report forms part of the record before this Court.

5. Learned counsel appearing for the Petitioner as well as the Petitioner, who appears in person, have been permitted to peruse the said Report. Having regard to the sensitive nature of the material contained therein, a copy thereof is not being furnished to the Petitioner. Registry is directed to take steps to ensure that the said report is not publicly accessible without directions from the Court.

6. The submissions on behalf of the Petitioner have, accordingly, been advanced after perusal of the contents of the aforesaid Report.

SUBMISSIONS ON BEHALF OF THE PETITIONER:

7. Learned counsel appearing on behalf of the Petitioner, while disputing the findings and observations contained in the aforesaid Report, has sought to assail the factual conclusions recorded therein. It is submitted that the Report proceeds on an erroneous appreciation of

³ Report



the record and does not correctly reflect the circumstances attending the filing and subsequent placement of the Written Statement on the judicial record.

8. Learned counsel appearing on behalf of the Petitioner draws the attention of this Court to certain alleged discrepancies with regard to the seal appearing on the Written Statement, as also the dates reflected therein, while it might have been taken on record.

9. Learned counsel appearing on behalf of the Petitioner further specifically controverts the observation contained in Paragraph No. 9 of the Report, which records that the Petitioner had never raised any objection either to the Written Statement not having been filed or to the non-supply of a copy thereof. It is submitted that the aforesaid observation is premised on an erroneous appreciation of the factual background and the proceedings in the present case and, the objections thereto have been raised before the learned Family Court.

10. No other submissions were advanced by the learned counsel appearing on behalf of the Petitioner.

ANALYSIS:

11. This Court has perused the Report filed by the learned Family Court, the material forming part of the record, and has also heard learned counsel appearing on behalf of the Petitioner.

12. At the outset, it is apposite to notice that the Written Statement, which forms part of the judicial record before the learned Family Court, bears the Court stamp as well as the signatures of the learned predecessor Presiding Officer and is dated 27.01.2023. The Report further notices that the Order dated 25.01.2023 records that an advance copy of the Written Statement had been supplied to learned



counsel for the Petitioner, whereafter the Petitioner was directed to file Replication thereto.

13. The Report also addresses the alleged discrepancy arising from the subsequent Order dated 29.05.2023, wherein it was recorded that the Written Statement had not been filed. As noticed therein, on the preceding date of hearing, *i.e.*, 15.04.2023, no judicial order came to be passed as the learned predecessor Presiding Officer had been transferred, and the matter was thereafter adjourned by the Reader to 29.05.2023. The Report states that the factum of filing of the Written Statement did not find reflection in the order-sheet dated 15.04.2023 and that when the matter was subsequently taken up on 29.05.2023, the succeeding Presiding Officer of the learned Family Court appears to have proceeded on the basis of the preceding order-sheets and, accordingly, recorded that the Written Statement had not been filed.

14. The Report notes that the aforesaid circumstances, when viewed cumulatively, cannot be brushed aside merely on the basis of the discrepancy, and probable inadvertence, between the Orders dated 25.01.2023 and 29.05.2023.

15. The Report further goes on to state that the subsequent proceedings also assume significance and that *vide* Order dated 09.07.2025, the learned Family Court expressly recorded that the pleadings of the parties were complete and proceeded to frame issues and thereafter the Respondent was permitted to lead evidence. The Report notes that materially, during the course of the Respondent's cross-examination, questions were put to him by learned counsel for the Petitioner with reference to the contents of his Written Statement.

16. In the considered view of this Court, the aforesaid circumstances, when appreciated in their entirety, do not lend



credence to the case sought to be set up by the Petitioner that the Written Statement came to surface for the first time upon her inspection of the judicial record in April, 2026. On the contrary, the contemporaneous record, coupled with the subsequent course of proceedings, indicates that the Written Statement had already formed part of the judicial record much prior thereto.

17. The fact that the Written Statement bears the Court stamp and signatures of the learned predecessor, the reference to its supply in the Order dated 25.01.2023, the subsequent recording of completion of pleadings by the learned Family Court, and the reference to the Written Statement during the cross-examination of the Respondent, when viewed cumulatively, militate against the allegation that the document was subsequently and fraudulently introduced into the judicial record. The mere discrepancy in the intervening order sheets, therefore, cannot, in the face of the aforesaid material, furnish a sufficient basis to accept the Petitioner's case.

18. This Court now adverts to the submissions advanced by the learned counsel for the Petitioner, *namely*, that there are discrepancies in the seal affixed on the Written Statement, which, according to the Petitioner, is indicative of tampering thereof, and that the Paragraph No. 9 of the Report proceeds on an erroneous appreciation of the factual background and judicial proceedings of the present case.

19. Learned counsel for the Petitioner has sought to controvert the Report by drawing attention to the alleged discrepancies in the seal appearing on the Written Statement, as also the dates reflected therein. It is the contention of the Petitioner that the seal appearing on the Written Statement itself is indicative of subsequent tampering and, consequently, lends support to the allegation that the document was



manipulated and introduced into the judicial record at a later stage.

20. The aforesaid contention has been duly noted. However, acceptance of such a contention would necessarily be in the nature of a challenge to a detailed examination already undertaken on the direction of this Court and for the Court to undertake a further and more detailed exploration into purely factual aspects that this Court believes has satisfactorily been accorded consideration by a fairly Senior Judicial Officer, namely the learned Principal Judge, Family Court. Such an exercise entailing a detailed investigation into disputed questions of fact and an appreciation and reconciliation of the contemporaneous record, may not be appropriate considering the limited supervisory jurisdiction exercised by this Court under Article 227 of the Constitution of India.

21. More importantly, the allegation that the seal affixed on the Written Statement was itself tampered with, thereby suggesting manipulation of the judicial record, is a matter which cannot be presumed merely from the alleged discrepancy in the appearance of the seal or from the inconsistency between the dates reflected in the order-sheets. The contemporaneous record, as noticed hereinabove, contains material which lends support to the existence and filing of the Written Statement at the relevant stage of the proceedings. In these circumstances, this Court, in exercise of its jurisdiction under Article 227 of the Constitution of India, refrains from undertaking a further factual enquiry into the alleged tampering of the seal or otherwise determine the manner in which the document came to bear the seal appearing thereon.

22. Turning to the second submission pertaining to the Report, the learned counsel for the Petitioner has specifically disputed the



observation contained in Paragraph No. 9 of the Report, which suggests that the Petitioner had never raised any objection either to the Written Statement having not been filed or to the non-supply of a copy thereof, on the ground that aforesaid observation proceeds on an erroneous appreciation of the factual circumstances obtaining in the present case. The said submission is also duly noted.

23. However, even if the aforesaid observation in the Report is disputed, the same, in the considered view of this Court, would not materially affect the conclusion which emerges from the record. The issue cannot be determined by examining the said observation in isolation. What assumes significance is the cumulative effect of the contemporaneous record, including the Order dated 25.01.2023 recording supply of an advance copy of the Written Statement, the Written Statement bearing the Court stamp and signatures of the learned predecessor Presiding Officer, the subsequent proceedings wherein the pleadings were recorded as complete, and the manner in which the Respondent was thereafter permitted to lead evidence and was cross-examined with reference to the contents of the Written Statement.

24. Thus, on an overall conspectus of the material placed before this Court, this Court finds that the allegation of the Petitioner that the Written Statement was subsequently and fraudulently introduced into the judicial record is not borne out from the record as it presently stands.

25. The learned Principal Judge, Family Court has already undertaken a detailed factual enquiry into the matter, based on the directions passed by the Court. A further enquiry cannot be undertaken by this Court in exercise of its limited supervisory



jurisdiction under Article 227 of the Constitution of India, particularly when the contemporaneous record and the subsequent course of proceedings furnish material indicating that the Written Statement formed part of the record much prior to the alleged discovery in April, 2026.

DECISION:

26. In view of the foregoing, this Court finds no perversity, jurisdictional infirmity or manifest illegality in the Impugned Order warranting interference in exercise of the jurisdiction under Article 227 of the Constitution of India. The prayer for striking off the Written Statement, founded upon the allegation of its fraudulent insertion, as well as the consequential prayer in respect of the Evidence Affidavit, therefore, cannot be acceded to.

27. The present Petition, accordingly, is dismissed. Consequently, the prayer sought for striking off the Written Statement, as well as the subsequent Evidence Affidavit, of the Respondent cannot be granted.

28. The present Petition, along with pending Application(s), if any, stands disposed of in aforementioned terms.

29. There shall be no Order as to the Costs.

HARISH VAIDYANATHAN SHANKAR, J.
SEPTEMBER 08, 2026/nd/DJ