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

*Date of Decision :20<sup>th</sup> February, 2026*

+ CM(M) 1865/2024 & CM APPL. 8809/2024

VEENA DEVI

.....Petitioner

Through: Mr. Piyush M. Dwivedi, Mr. Shubham  
Yadav, Mr. Chetanya Baweja, Mr.  
Abhishek Dwivedi, Advocates.

versus

GAYATRI

.....Respondent

Through: Mr. Vishal Bakshi, Advocate (through  
VC).

**CORAM:**

**HON'BLE MR. JUSTICE RAJNEESH KUMAR GUPTA**

**ORDER (Oral)**

**Rajneesh Kumar Gupta, J.**

1. This hearing has been conducted through hybrid mode.
2. The present petition has been filed by the petitioner under Article 227 of the Constitution of India, 1950, assailing the orders passed by the learned Trial Court in Civ DJ 647/2021, namely:
  - (i) order dated 02nd November, 2022, whereby the petitioner/defendant's opportunity to file the written statement was closed;
  - (ii) order dated 20th July, 2023, whereby the petitioner/defendant was proceeded *ex parte*; and
  - (iii) order dated 02nd January, 2024, whereby the petitioner's application under Section 151 of the Code of Civil Procedure, 1908, seeking setting aside of the *ex parte* order, was dismissed.



3. Heard. Record perused.
4. At the outset, learned counsel for the respondent submits that he has no objection if the impugned orders are set aside. However, it is prayed that a specific time frame be fixed for the petitioner to file the written statement before the learned Trial Court.
5. *Per contra*, learned counsel for the petitioner submits that the petitioner could not file the written statement and was proceeded against *ex-parte* on account of her incarceration in jail and her counsel has also not communicated to her about the proceedings of the suit.
6. Keeping in view the fact that the learned counsel for respondent has no objection to the present petition being allowed, the *ex-parte* order dated 20<sup>th</sup> July, 2022 is set aside, and the petitioner is granted one more opportunity to file written statement before the learned Trial Court within a period of 30 days from today. Thereafter, the learned Trial Court shall proceed with the matter, in accordance with law.
7. Accordingly, the petition is disposed of in the above-stated terms. Pending application(s), if any, also stand disposed of.

**RAJNEESH KUMAR GUPTA, J**

**FEBRUARY 20, 2026/v/ik**