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

\+ MAT.APP.(F.C.) 37/2024 and C.M. Nos. 4935-36/2024

SUMIT TANWAR ..... Appellant

Through: Mr C. Parkash and Mr Shrey Tanwar, Advocates.

versus

ANJALI TANWAR ..... Respondent

Through: Mr Prateek Chaudhary and Mr Ravinder Kumar, Advocates.

CORAM:
HON'BLE MR. JUSTICE RAJIV SHAKDHER
HON'BLE MR. JUSTICE AMIT BANSAL

O R D E R

% 29.01.2024

[Physical Hearing/Hybrid Hearing (as per request)]

1. The present appeal is directed against the order dated 03.10.2023, passed by the learned Additional Principal Judge, Family Court (West), Tis Hazari Courts, Delhi.

2. The singular ground on which the above-captioned appeal has been preferred is the rejection of the prayer made by the appellant/husband to recall the respondent/wife for cross-examination.

3. Mr C. Parkash, learned counsel, who appears on behalf of the appellant/husband, does not dispute the fact that the respondent/wife was cross-examined on two dates, i.e. 11.08.2023 & 26.08.2023.

3.1 According to Mr Parkash, there are certain aspects *qua* which cross-examination was not carried out.

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4. It appears that there has been a change in the counsel who represents the appellant/husband, which triggered the application seeking the respondent/wife for cross-examination. In our view, this reason by itself cannot be a ground for recalling the witness.

5. The respondent/wife, as noted above, has concededly been cross-examined on the two dates.

6. We find no ground to interfere with the impugned order. The appeal is, accordingly, dismissed.

7. Resultantly, pending applications have been rendered infructuous.

8. The applications are, accordingly, closed.

RAJIV SHAKDHER, J

AMIT BANSAL, J

JANUARY 29, 2024/kd

Click here to check corrigendum, if any

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