

Court No. - 87

Case :- APPLICATION U/S 482 No. - 20916 of 2023

Applicant :- Mohd. Faizan

Opposite Party :- State Of U.P. And 6 Others

Counsel for Applicant :- Pavan Kumar

Counsel for Opposite Party :- G.A.

Hon'ble Neeraj Tiwari,J.

1. Heard learned counsel for the applicant and Sri Yogesh Kumar Singh, learned AGA for State.
2. Learned AGA pointed out that this application is not maintainable as against the order impugned, applicant has alternative remedy to file appeal under Section 29 of Domestic Violence Act within 30 days from the date of order. Therefore, this application may be rejected on this ground alone.
3. Learned counsel for the applicant could not dispute the aforesaid fact and submitted that as festivals of Dussehra and Deepawali are approaching, therefore, applicant may be granted one month time to file appeal.
4. Accordingly, the application is **dismissed** with liberty to the applicant to file appeal within 30 days, if so advised.
5. In case, any appeal is filed within 30 days from today, same shall not be rejected on ground of laches, but be decided on merits.
6. Office is directed to return certified copy of the order to learned counsel for the applicant after keeping the photocopy of the same on record.

Order Date :- 12.10.2023

Arvind