

Court No. - 87

Case :- APPLICATION U/S 482 No. - 41133 of 2023

Applicant :- Mohd. Sharib

Opposite Party :- State Of U.P.And Another

Counsel for Applicant :- Anil Kumar Mishra

Counsel for Opposite Party :- G.A.

Hon'ble Neeraj Tiwari,J.

1. Heard learned counsel for the applicant and learned AGA for the State.
2. This application under Section 482 Cr.P.C. has been filed for quashing the order dated 18.7.2023 passed by the learned Additional District & Sessions Judge, Court No.9, Aligarh in Criminal Appeal No. 143 of 2022 (Smt. Nazia Sultana vs. Mohd Sarib), under Section 29 of Domestic Violence Act, 2005 and order dated 1.10.2022 in Case No.254 of 2021, under Section 20 of D.V. Act, Police Station- Civil Lines, District Aligarh.
3. After some argument, learned counsel for the applicant submitted that he is ready to pay Rs.6,000/- as interim maintenance in terms of order dated 18.7.2023 and further requested that some additional time may be granted for payment of arrears of interim maintenance. He lastly submitted that suitable direction may also be issued to trial Court to decide the aforesaid case at the earliest for which learned AGA has no objection.
4. Considering the facts and circumstances of the case, this application is finally **disposed of** with direction to the Trial court to decide the aforesaid case strictly in accordance with law, maximum within a period of six months subject to monthly payment of Rs. 6,000/- as interim maintenance in terms of order dated 18.7.2023. So far as arrears of interim maintenance is concerned, he shall pay the same within six months in monthly installment. First installment shall be paid maximum within a period of one month from the date production of certified copy of this order.
5. It is made clear that in case amount so mentioned hereinabove is not paid within the time given, this order would lost its effect and thereafter, Court may proceed against the applicant in accordance with law.

Order Date :- 28.11.2023

Junaid