

Court No. - 89

Case :- APPLICATION U/S 482 No. - 44403 of 2023

Applicant :- Smt Poonam

Opposite Party :- State of U.P. and Another

Counsel for Applicant :- Nirbhay Singh

Counsel for Opposite Party :- G.A.

Hon'ble Deepak Verma,J.

1. Heard learned counsel for the applicant and learned A.G.A. for the State.

2. This application under Section 482 Cr.P.C. has been filed seeking direction to the court below for early decision of Misc. Case No.361 of 2022, under Section 128 Cr.P.C. arising out of proceeding U/s 125 Cr.P.C. vide order dated 28.02.2019 passed by Principal Judge, Family Court, Kasganj.

3. Learned counsel for the applicant submitted that applicant's application filed U/s 125 Cr.P.C. was allowed vide order dated 28.02.2019 and awarded Rs.5,000/- per month as maintenance allowance to the applicant but opposite party No.2 has not paid a single penny. Opposite party No.2 challenged the impugned order dated 28.02.2019 by filing Criminal Revision bearing No.2057 of 2019 before this Hon'ble Court and this Hon'ble Court directed the applicant to pay Rs.4,000/- per month as maintenance allowance to his wife without fail regularly, but opposite party No.2 has not paid any amount to the applicant, thereafter, applicant moved application U/s 128 Cr.P.C. for execution of the order, which is pending since 2022.

4. Considering the argument raised by applicant's counsel, without expressing any opinion on the merits of the case, this application is **disposed of** with a direction to the learned Principal Judge, Family Court, Kasganj to expedite the application of the applicant in accordance with law, as expeditiously as possible, without granting any unnecessary or long adjournments to either of the parties, preferably within a period of 4 months from the date of production of a certified copy of this order, if there is no other legal impediment.

Order Date :- 5.12.2023

Nitin Verma