

Court No. - 93

Case :- APPLICATION U/S 482 No. - 43836 of 2023

Applicant :- Arpita Chauhan

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

Counsel for Applicant :- Akhilesh Singh, Yogendra Yadav

Counsel for Opposite Party :- G.A.

Hon'ble Manoj Bajaj, J.

The applicant wife has filed this application under Section 482 the Code of Criminal Procedure for issuance of direction to the trial court to expedite the adjudication of the pending case against her husband bearing number 199 of 2022 titled Arpita Chauhan versus Ashok Kumar Chauhan, for grant of maintenance under Section 125 Code of Criminal Procedure.

Learned counsel for the applicant submits that the above case was filed on 4th March, 2022 but the same is still pending and it would be in the interest of justice if a direction is issued to the court to decide it expeditiously.

During the course of hearing, it is not disputed by learned counsel that the amount of maintenance of Rs.4,000/- as an interim measure has been fixed vide order dated 13th December, 2022 on the basis of the consent of the parties, and the same is being paid regularly by the husband.

Upon hearing the learned counsel and considering the material on record, particularly the *zimni* orders passed by the trial court which shows that the case is being adjourned on various grounds and delay cannot be attributed to the husband alone.

Resultantly, no case is made out for exercise of powers under Section 482 Cr.P.C.

This application is dismissed.

Order Date :- 1.12.2023

Raj