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

+ CRL.M.C. 4917/2015

DR KIRTI SHARMA

..... Petitioner

Through : Mr.Vaibhav Vats, Advocate.

versus

DR KAPIL PARASHAR & ORS

..... Respondents

Through : Mr.Raghuvinder Varma, APP.

CORAM:

HON'BLE MR. JUSTICE S.P.GARG

ORDER

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03.06.2016

CRL.M.A.No.9493/2016 (Exemption)

Exemption allowed subject to all just exceptions.

The application stands disposed of.

CRL.M.A.No.9492/2016 (for clarification and appropriate directions)

1. The present application has been moved by the petitioner for seeking clarification of order dated 02.12.2015.

2. I have heard the learned counsel for the parties and have examined the file. The petitioner had filed Crl.M.C. 4917/2015 to assail the judgment dated 17.12.2015 passed in Crl.A.6/2014 endorsing order dated 03.11.2014 of learned Metropolitan Magistrate whereby Complaint Case No.15/2003 under Domestic Violence Act filed by the petitioner was dismissed vide order dated 03.11.2014; the petitioner was not granted any maintenance.

3. After some arguments, the petitioner opted to withdraw Crl.M.C.4917/2015 and prayed to direct the Trial Court to take the affidavits of both the sides on record and decide the petition expeditiously. Accordingly, Trial Court was directed to decide the petition expeditiously not later than six months from the next date of hearing. The petition was dismissed as withdrawn.

4. The directions contained in order dated 02.12.2015 are clear and specific and need no further clarification. Pars 5 & 6 of the order read :

“5. After some arguments, ld. Counsel appearing on behalf of the petitioner seeks permission to withdraw the instant petition and has prayed this Court that the Trial Court may be directed to take the affidavits of both the sides on record and decide the petition of the petitioner expeditiously.

6. However, since the ld. Trial Court and the Appellate Court has not granted any interim relief to the petitioner, the ld. Trial Court is directed to decide the petition of the petitioner expeditiously not later than six months from the next date of hearing.”

5. Apparently on the prayer of the petitioner’s counsel the Trial Court was directed to take the affidavits of both the sides on record and to decide the petition expeditiously.

6. The application lacks merit and is dismissed.

JUNE 03, 2016 / tr

S.P.GARG, J