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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 111/2016**

NITIN GUPTA Petitioner
Through: Mr.Aman Mehta, Advocate

versus

THE STATE (NCT OF DELHI) & ANR Respondents
Through: Ms.Nandita Rao, ASC for State
Ms.Ruchika Gupta, R-2 in person.

CORAM:
HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER
11.07.2016

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The petitioner has preferred this petition to seek a writ of mandamus to direct the learned Metropolitan Magistrate dealing with CC No.179/08/08 under Section 12 of Protection of Women from Domestic Violence Act, to conclude the case within six months.

Learned counsel for the petitioner submits that the said case has been proceeding since 2008. During the pendency of the proceedings, the examination of the complainant has been concluded. The complainant has expressed a desire to examine four more witnesses.

It appears that the proceedings have been going on a rather slow pace. It is not necessary to get into the reasons for the same. However, it is directed that on the dates fixed by the learned Magistrate, the proceedings shall not be adjourned at the request of either of the parties and the

examination of the witnesses shall proceed.

The complainant shall take steps to summon the relevant witnesses and in case of default, no further opportunity shall be granted for the said purpose.

There is a dispute with regard to the outstanding arrears towards payment of maintenance to respondent. It is directed that both parties shall appear before the Nazir of the Executing Court who shall compute the outstanding dues, if any, payable towards maintenance in terms of the orders passed by the Court. The said exercise shall proceed before the Nazir on the date fixed irrespective of either party not appearing before him. On the basis of the report furnished by the party, the Executing Court shall pass appropriate directions.

The petition stands disposed of.

VIPIN SANGHI, J

JULY 11, 2016

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