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

+ MAT.APP.(F.C.) 21/2016 and CM No.7673/2016

SHIKHA

..... Appellant

Through : Mr. Lal Singh Thakur and
Mr. Sudhir Tewatia, Advs.
along with appellant.

versus

RAJEEV

..... Respondent

Through : None.

CORAM:

HON'BLE MS. JUSTICE GITA MITTAL

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

02.03.2016

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1. The appellant has assailed the order dated 3rd of February 2016 whereby the appellant's application for early hearing of the matter has been adjourned to 8th of July 2016 which was a date otherwise fixed in the matter. The appellant has made a grievance that irreparable loss and damage has ensued to her inasmuch as despite the order dated 2nd June, 2014 awarding the maintenance of ₹12,000/- per month w.e.f. 2nd of November 2010, not a single penny has been paid to her. The matter has been repeatedly listed thereafter. The application for striking off the defence of the respondent has also not been considered. In the execution petition

filed by the appellant for the maintenance, warrants of arrest have been issued which have also been of no avail.

2. It would appear that the application filed by the appellant merits consideration. Even if the learned Trial Judge was of the view that the early hearing was not possible, there was no necessity of simply adjourning the application and orders thereon deserved to be passed.

3. In view of the above, this appeal is disposed of giving liberty to the appellant to file an application for the same relief afresh placing a copy of this order.

Dasti.

GITA MITTAL, J

I.S.MEHTA, J

MARCH 02, 2016

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