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

+ CM(M) 954/2016

NAVEEN SHARMA

..... Petitioner

Through Ms.Himani Bhatnagar, Ms. K.Meheta
Devi and Mr. Shobhit Maheshwari, Advocates.

versus

RITU SHARMA & ANR

..... Respondents

Through None.

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

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23.09.2016

CM Nos. 35036-37/2016 (exemption)

Exemption is allowed subject to all just exceptions.

CM(M) 954/2016 and CM No.35038/2016 (stay)

1. By the present petition, the petitioner seeks a direction to the concerned court of the ASJ which is hearing an appeal filed by the petitioner against the order dated 13.07.2016 passed by the MM under Section 23 of the Domestic Violence Act to dispose off the stay application.
2. Learned counsel appearing for the petitioner submits that as per the order dated 13.07.2016, directions have been issued against the petitioner to pay household maintenance, etc. @ Rs.10,000/- per month and maintenance for the child @ Rs. 40,000/- per month from the date of the filing of the petition i.e. 17.09.2014. There is also a direction to clear the entire arrears

by 30.09.2016. It is contended that the petitioner apprehends that coercive measures would commence against the petitioner in case the stay application filed before the ASJ is not disposed off before 30.09.2016. It is pointed out that the ASJ partly heard the matter on 03.09.2016 and thereafter, adjourned it to 13.09.2016. 13.09.2016 was declared a holiday on account of Eid-ul-Zuha and the matters were adjourned to 08.10.2016. Subsequently, an application for early hearing was filed and the ASJ has again adjourned it to 08.10.2016.

3. Leave and liberty is granted to the petitioner to move a fresh application for pre-poning the date of hearing of the appeal/stay application which is pending before the ASJ. In case such an application is filed, the ASJ is requested to consider the same as per law

4. With the above liberty, the present petition stands disposed of.

5. Copy of the order be given Dasti under the signatures of the Court Master.

JAYANT NATH, J

SEPTEMBER 23, 2016

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