

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.25934 of 2018

ORDER:

Heard the learned counsel for petitioner and the learned Government Pleader for Prohibition and Excise appearing for the respondents.

The order, dated 26.04.2017, passed by the learned IV Metropolitan Magistrate, Hyderabad in D.V.C.No.2 of 2017, is under challenge in the present Writ Petition.

By way of the impugned order, the learned Metropolitan Magistrate, Hyderabad allowed the D.V.C., filed by the fifth respondent herein, under Section 12 of the Protection of Women from Domestic Violence Act, 2005 (for brevity, 'the Act'). As per the provisions of Section 29 of the Act, the impugned order is appealable to the Court of the Sessions in thirty days from the date of service of the order passed by the learned Magistrate on the aggrieved person or the respondent, as the case may be, whichever is later.

In view of the availability of the above alternative remedy to the petitioner herein, the Writ Petition is dismissed. However, it is open for the petitioner to avail the said alternative remedy as per law. There shall be no order as to costs.

Consequently, miscellaneous petitions pending, if any, shall stand closed.

A.V.SESHA SAI,J

31st July, 2018
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