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

+ **CRL.M.C. 1489/2018**

MANEESH TRIVEDI

..... Petitioner

Through Mr. Dinesh Kumar Tiwari with Ms.
Shama Sharma & Mr. Rohit Mishra,
Advocates

versus

PALLAVI TRIVEDI

..... Respondent

Through

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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22.03.2018

Crl.M.A.5405/2018 (exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 1489/2018 & CRL.M.A.5406/2018 (Stay)

1. The petitioner has filed this petition impugning the order dated 24.02.2018 whereby the Appellate Court has issued notice in an application under Section 31 of the Protection of Women from Domestic Violence Act, 2005.

2. Learned counsel for the petitioner submits that the subject application is not maintainable before the Appellate Court and lies only before the Magistrate who has passed the order, breach, of which is alleged. Learned counsel submits that he has already raised this objection in his reply before the Appellate Court and the matter is

listed on 28.03.2018 for hearing on the said application.

3. Learned counsel for the petitioner seeks leave to withdraw the petition with liberty to raise all available pleas before the Appellate Court at the stage of hearing of the subject application.

4. The appeal is dismissed as withdrawn with liberty as prayed for.

SANJEEV SACHDEVA, J

MARCH 22, 2018
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