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

+ CRL.M.C. 5384/2018 & CrI.M.A. Nos.34721-722/2018

ARUN RAJ G

..... Petitioner

Through: Mr.Vikas Kakkar & Mr.Amit Dubey,
Adv.

versus

SMT. SMITHA ARUN

..... Respondent

Through: None.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **23.10.2018**

1. The present petition impugns the order dated 20.08.2018 passed by the learned ASJ-06, South East District, Saket Courts, New Delhi whereby while modifying the order passed by the Trial Court, the maintenance awarded to the respondent had been reduced from Rs.83,333/- to Rs.60,000/- only per month.

2. Learned counsel for the petitioner impugns the said order primarily on the ground that in her affidavit filed before the learned Metropolitan Magistrate in support of her application bearing CC No.631948/16, the respondent had claimed a sum of Rs.25,000/- per month towards litigation expenses, which according to the petitioner, was not only exorbitant, but was also without any justification. He submits that though this plea was urged before the learned ASJ, the Court has not at all considered the said submission.

3. I have perused the impugned order and what transpires therefrom is that no such submission appears to have been made by the petitioner before the learned ASJ.

4. In these circumstances, learned counsel for the petitioner prays for leave to withdraw the present petition, with liberty to approach the learned ASJ by way of a review petition.

5. Leave as prayed for is granted. The petition is disposed of along with the pending applications.

REKHA PALLI, J

OCTOBER 23, 2018

gm