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

+ CRL.M.C. 5417/2018

BHAWANA SHARMA & ANR ... Petitioners

Through: Petitioner No.1 in person

versus

SHYAM SUNDER SHARMA Respondent

Through: Respondent in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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01.11.2018

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 (Cr.P.C.) seeking appropriate directions for disposal of application dated 30.06.2015 under Section 125 of Cr.P.C. in MT. Case No.13/2016 titled *Smt. Bhawana Sharma & Anr. v. Sh. Syam Sunder Sharma*, which is stated to be pending for more than three years and approximately 45 dates have been fixed by the Trial Court.
2. The parties have pointed out to the order dated 7.9.2015 passed by the Supreme Court which is reproduced below:-

“We have heard learned counsel for the parties.

This is a case where the applications under Sections 125 and 127 of the Code of Criminal Procedure are pending for about ten years. This is most unfortunate.

We direct the Trial Court to decide the matter within a period of four weeks from today.

The special leave petition is disposed of.”

3. The respondent submitted that the petitioners are themselves delaying the matter. However, on the other hand, the petitioner No.1 disputed the facts stating that they have not delayed the proceedings rather the respondent is delaying the proceedings. Without going into these contentions, I would like to mention here that despite the order dated 7.9.2015 of the Supreme Court, the Trial Court has not disposed of the applications till date even after the lapse of more than three years. The Trial Court was/is bound to take up and dispose of the applications and comply with the directions of the Supreme Court.

4. The next date of hearing stated to be before the Trial Court is 19.11.2018.

5. In view of the aforesaid circumstances, the Trial Court is directed to take up the matter without fail on day to day basis w.e.f. 19.11.2018 and decide it expeditiously.

6. The present petition is disposed of in the above terms.

CHANDER SHEKHAR, J

NOVEMBER 01, 2018/rk