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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 1360/2020**

AYESHA CHAUDHRY

..... Petitioner

Through Mr Mayank Sapra, Mr N. Sasank Iyer,
Advocates with petitioner.

versus

MD AHMED HAMEED

..... Respondent

Through Mr

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **31.08.2020**

[Hearing held through video conferencing]

CRL.M.A. 11956/2020, CRL. M.A. 11957/2020

1. Allowed, subject to all just exceptions.
2. The applications are disposed of.

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3. The petitioner has filed the present petition, *inter alia*, praying that directions be issued to the Family Court to decide the petitioner's ad-interim maintenance application as expeditiously as possible on the basis of the petitioner's affidavit of assets, income and expenditure.
4. Mr Sapra, learned counsel appearing for the petitioner states that the petitioner had filed an application for seeking interim maintenance in Maintenance Petition No. 154/2019 on 08.07.2020. He states that the matter was put up for hearing on three dates, thereafter. However, the respondent has not complied with any of the directions to file the statements of assets, income and expenditure and has been delaying the hearing of the said application. He states that in view of the above, the petitioner filed another

application on 19.08.2020, seeking direction with regard to her ad-interim maintenance and that application has also been deferred to 26.09.2020.

5. Mr Sapra states that he apprehends that the respondent would continue to delay the said proceedings. He further submits that the respondent has not complied with the directions of the Family Court and has not filed the requisite documents as yet.

6. This Court is not inclined to pass any orders placing time constraints on the learned Court within which the petitioner's application must be decided. However, the petitioner has articulated his grievances regarding her application for interim maintenance being deferred on three occasions. In the circumstances this Court requests the learned Family Courts to consider the petitioner's application on the date already fixed, that is, 26.09.2020 and if the same is not feasible then as expeditiously as possible.

7. The petitioner's apprehension that the respondent would unduly delay the proceedings is unmerited because if the learned Family Court finds that the respondent has not complied with its orders of filing documents, the Family Court is well within its jurisdiction to proceed without the said documents and pass such orders as it thinks fit. There is no reason for this court to believe that the learned Family Court will allow the respondent to delay the proceedings.

8. The petition is disposed of with the aforesaid observations.

VIBHU BAKHRU, J

AUGUST 31, 2020/pkv