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Crl.R.C.No.1035 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2022

CORAM:

THE HON'BLE Mr. JUSTICE P.VELMURUGAN

Criminal Revision Case No.1035 of 2020

and

Crl.M.P.No.7198 of 2020

Arjumand Ara

... Petitioner

Versus

Shoeib Ali Khan

... Respondent

Criminal Revision Case filed under Sections 397 r/w 401 of Criminal Procedure Code to set aside the fair and final order dated 16.3.2020 passed in M.P.No.238 of 2019 in M.C.No.125 of 2017 on the file of the V Additional Family Judge, Chennai by allowing the revision petition.

For Petitioner : No appearance

For Respondent : No appearance

ORDER

The Criminal Revision Case is arising out of the order dated 16.3.2020 passed in M.P.No.238 of 2019 in M.C.No.125 of 2017 by the learned the V Additional Family Judge, Chennai.

2. The petitioner filed a maintenance case in M.C.No.125 of 2017

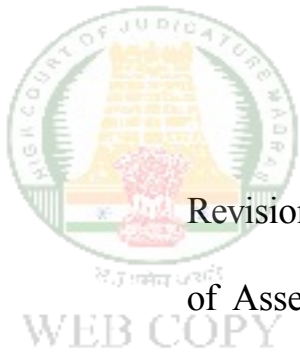


before the V Additional Family Court, Chennai seeking maintenance. Pending maintenance case, the respondent herein filed a miscellaneous petition in M.P.No.238 of 2019 seeking to permit him to be represented by his family friend and Power of Attorney one P.Surendiran S/o.G.Perumal. The said petition was ordered by the Court below. Aggrieved by the same, the petitioner has filed the present revision.

3. When the matter is taken up for hearing, there is no representation for the petitioner and the respondent and the matter is pending from the year 2020.

4. It seems that the maintenance case is pending from the year 2017. The scope of Section 125 Cr.P.C is summary in nature and its object itself has to be decided within a short span of time, unfortunately, the Family Court and the learned counsel on either side are protracting the case only to deviate the procedures as contemplated under Section 125 Cr.P.C. Time and again, the Hon'ble Supreme Court and this Court issued directions that the maintenance case should be disposed of on merits within a prescribed time limit.

5. In the light of the above facts and circumstances, this Criminal



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Revision Case is dismissed. Both the parties are directed to file their Affidavit of Assets and Liabilities, before the Family Court within a period of two weeks as per the dictum laid down by the Hon'ble Supreme Court in the case of *Rajnesh vs. Neha and another* reported in *(2021) 2 SCC 324*. On receipt of the same, the learned V Additional Principal Judge, Chennai is directed to dispose of M.C.No.238 of 2019 within a period of two months from the date of receipt of a copy of this order. It is made clear that no extension of time would be granted to dispose of the maintenance case. Consequently, connected miscellaneous petition is closed.

16.12.2022

Index : Yes/No
Speaking Order/Non Speaking Order
ms

To

The V Additional Family Judge,
Chennai.



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P.VELMURUGAN, J.

ms

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