

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

(122)

CRM-M-15078-2022

Date of decision: 08.04.2022

Monika Thakur

...Petitioner

Versus

Deepak Malhotra and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Kanwar Pahul Singh, Advocate
for the petitioner.

...

SUVIR SEHGAL, J.

By way of instant petition filed under Section 482 of the Code of Criminal Procedure, 1973, the petitioner has approached this Court seeking a direction to the Trial Court to decide the application for interim maintenance (Annexure P-3) filed by the petitioner in proceedings under Section 12 of Protection of Women from Domestic Violence Act, 2005 (for short "DV Act") titled as 'Monika Thakur Versus Deepak Malhotra and others' bearing COMA No.901 of 2019, pending in the Court of Ld. Judicial Magistrate Ist Class, Amritsar, in a time bound manner without any delay.

Counsel for the petitioner submits that the petitioner was married to respondent No.1 in 2009, but she was physically assaulted and thrown out of the matrimonial home. As she does not have any source of income to meet her personal expenses as

well as that of her school going child, she has filed a petition under Section 12 of the DV Act (Annexure P-1) before the Trial Court on 20.08.2019, along with an application (Annexure P-3) for grant of interim maintenance, wherein the respondents have been duly served and have filed their written statement on 03.03.2020 (Annexure P-4). He submits that thereafter an application has been filed on behalf of some of the respondents for dropping them from the proceedings, which is pending for adjudication since the last one year and the application (Annexure P-3) filed by the petitioner seeking interim maintenance is not being decided. He submits that a direction may be issued to the Trial Court to decide the application (Annexure P-3) in a time bound manner.

Heard counsel for the petitioner.

Courts have been functioning in a restrictive manner for the last two years due to the outbreak of pandemic. It is, therefore, not appropriate to direct the Trial Court to decide the application within a specific time frame. However, keeping in view the facts and circumstances of the case, it is directed that the Trial Court shall make an endeavour to decide the application seeking interim maintenance (Annexure P-3) as expeditiously as possible.

Petition is disposed of.

(SUVIR SEHGAL)
JUDGE

08.04.2022
Pardeep

Whether speaking/ reasoned	Yes/ No
Whether Reportable	Yes/ No