

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO. 548 OF 2023

XYZ

..Petitioner

Versus

State of Maharashtra & Anr.

..Respondents

Ms. Megha Pathale i/b. Swapana P. Kode for Petitioner.
Mr. Arfan Sait, APP for State/Respondent No.1.

**CORAM : SARANG V. KOTWAL, J.
DATE : 10 JULY 2023**

PC :

1. This petition is filed for directions to the Additional Chief Metropolitan Magistrate, 9th Court, Bandra, to expedite the hearing of Domestic Violence Application No.158 of 2021 in a time bound manner. Another prayer is for directions to decide the interim maintenance application filed in the same proceedings.

2. Learned counsel for the Petitioner submitted that the application under the Protection of Women from Domestic Violence Act is pending since 2021 without substantial progress in the proceedings. She submitted that, an application for interim maintenance was filed on 24/11/2022. Even that application is not

decided till today.

3. It does appear that, at least the interim application should have been decided at the earliest which is pending for a long time. Learned Metropolitan Magistrate will have to show urgency in deciding the interim application first and then disposing of the main proceedings itself. No party can have any objection for expeditious disposal of the main proceedings. If any of the parties is not co-operating for expeditious disposal of the proceedings, the learned Magistrate has all the powers under the Law to see to it the matters are decided expeditiously.

4. Hence, the following order:

ORDER

- i) The proceedings in the Domestic Violence Application No.158 of 2021 pending before the Additional Chief Metropolitan Magistrate, 9th Court, Bandra, are expedited.
- ii) Learned Magistrate is further directed to decide the interim maintenance application filed at Exhibit-2 in the main proceedings within a period

of six weeks from today.

iii) With this observation, the petition is disposed of.

(SARANG V. KOTWAL, J.)