

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 1489 OF 2023

Tabassum Arbaz Khan .. Petitioner
Versus
The State of Maharashtra & Anr .. Respondents

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Ms. Manpreet Kaur i/b Falcon Legal for the petitioner
Mr. Y.M. Nakhawa, APP for the State.

CORAM: BHARATI DANGRE, J.
DATED : 26th APRIL 2023

P.C:-

1 Heard, the learned counsel for the petitioner, and on perusing the relief sought in the petition, I do not deem it necessary to issue notice to the respondent no.2.

Considering the limited relief that is sought in the petition, the grievance of the petitioner is about posting of an application filed by the petitioner wife seeking interim maintenance on 22/6/2023, on the arguments being concluded.

In the order dated 22/2/2023, the Metropolitan Magistrate 12th Court has recorded as under:

“Called. Both the parties and their advocates present. Exh-10 Application to produce documents-Allowed. Copy furnished to other side. Exh-11 List of documents-Seen. Arguments of interim relief completed. Adj for order.”

From the above order, it can be clearly inferred that the application has been heard and closed for orders and has been listed on 22/6/2023, under the caption 'close for orders'

2 The learned counsel for the petitioner would earnestly submit that the application is pending for last one year and therefore, it should be expeditiously decided. There can be no doubt about the aforesaid proposition, both on facts and law, and the application ought to have been expeditiously heard, but since it can be seen that on 22/2/2023, the learned Judge allowed the application for production of documents and the copy of the documents was directed to be furnished on the other side, on conclusion of the arguments, he kept the matter reserved for orders.

3 Being a High Court, I do not think any direction can be issued to any subordinate court to pronounce its order/judgment on the particular date, and since the learned Judge, in the peculiar facts, have listed the application on 22/6/2023, with a mere observation that it is expected that the learned Judge would pass some order on the said date, the present criminal Writ Petition stands disposed off.

(SMT. BHARATI DANGRE, J.)