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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CM(M) 1986/2024**

YOGITA

..... Petitioner

Through: Ms. Sumitra Choudhary, Ms. Renu Bajpai, Mr. M.K. Raghav Raman, Ms. Nitya Sharma, Mr. Vivek Yadav and Ms. Jamine Sheikh, Advocates.

versus

KRISHAN

..... Respondent

Through: None.

CORAM:

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

28.02.2024

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1. The present petition under Article 227 of the Constitution of India, 1950 seeking appropriate direction and for modification of the impugned order dated 16.01.2024 passed by the learned Metropolitan Magistrate-01 South-West district, Dwarka Court, New Delhi, in MC No.525/2021 titled as “*Smt. Yogita vs. Sh. Krishan & Ors.*”, for expeditious hearing of interim maintenance application filed under Section 23 of the Domestic Violence Act, 2005. The petitioner herein is the complainant before the learned Trial Court.

2. Learned counsel submits that despite the directions issued by the learned Predecessor bench vide order dated 23.01.2023. The interim application seeking maintenance on behalf of the petitioner is still not disposed of. The complaint was filed by the petitioner herein under the Domestic Violence Act on 25.08.2021, however, the application seeking interim maintenance is pending since then, even the statutory provision



providing for disposal of the application within 30 days has also not been complied with.

3. It is submitted that in these circumstances, that the interim maintenance application of the petitioner be disposed in time bound manner.

4. Keeping in view, the above submissions, the learned Trial Court is directed to hear arguments on the interim application seeking maintenance on the date already fixed before the learned Trial Court and to dispose of the application preferably within one month thereafter.

5. With above directions, petition stands disposed of.

SHALINDER KAUR, J.

FEBRUARY 28, 2024/SDS