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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.REV.P. 628/2023

MS KAVITA & ANR.

..... Petitioners

Through: Mr. Tushar Yadav & Mr.
Sayed Atif, Advs.

versus

SH. ASHOK KUMAR

..... Respondent

Through: Mr. Tarun Gahlot, Adv.
for R1

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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19.01.2024

1. The present petition is filed challenging the order dated 04.02.2023 (hereafter '**the impugned order**'), passed by the learned Principal Judge, Family Courts, Karkardooma Courts, Delhi.
2. By the impugned order, the application filed by the petitioners under Section 125 of the Code of Criminal Procedure, 1973 ('**CrPC**'), seeking enhancement of maintenance, was dismissed on the ground that the appropriate recourse was to file an application under Section 127 of the CrPC.
3. It is not disputed that the petitioners are entitled to file an appropriate application, even at this stage, under Section 127 of the CrPC.
4. In view of the above, the present petition is dismissed with liberty to the petitioners to file an appropriate application under Section 127 of the CrPC before the learned Family Court, taking all the grounds as pleaded in the present petition, for the enhancement of the maintenance granted by the learned Family Court by order dated 10.01.2014.

AMIT MAHAJAN, J

JANUARY 19, 2024/“SS”