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

+ **CRL.M.C. 3796/2024**

TWINKLE VINAYAK

..... Petitioner

Through: Ms.Divya Upadhyay,
Mr.Naveen Kumar, Mr.Shailesh
K. Yadav, Mr.Sudhir Kumar,
Advs with petitioner

versus

VISHAL VERMA

..... Respondent

Through: Mr.Tushar Aggarwal, Mr.Arun
Kumar, Advs. with respondent

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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10.05.2024

CRL.M.A. 14509/2024 (Exemption)

1. Allowed, subject to all just exceptions.

CRL.M.C. 3796/2024

2. This petition has been filed under Section 482 of the Code of Criminal Procedure, 1973, praying for the following reliefs:

“(a) Pass an order thereby directing the court of Ms.Alka Singh, Ld. MM, West District, Tis Hazari Courts to dispose of the case titled as "Twinkle Vinayak versus Vishal Verma" filed by the petitioner, seeking protection under various sections of Protection of Women from Domestic Violence Act bearing case no. M.C. No.526/2019 expeditiously as the said matter is a five-year-old matter and till now the interim maintenance has not been provided by the respondent.

(b) Pass an order directing the respondent to conclude the argument on interim



maintenance before the court of Ms. Alka Singh, Ld. MM, West District, Tis Hazari Courts to dispose of the case titled as "Twinkle Vinayak versus Vishal Verma" filed by the petitioner, seeking protection under various sections of Protection of Women from Domestic Violence Act bearing case no. M.C. No. 526/2019 on 14/05/2024 itself which is the fore-coming date of hearing."

3. The learned counsel for the petitioner submits that the application filed by the petitioner seeking *interim* maintenance has been pending adjudication before the learned Metropolitan Magistrate (in short, 'MM') since 2019. Though she complains that the same has not been adjudicated because of the delaying tactics being used by the respondent, the learned counsel for the respondent, who appears on advance notice, refutes the same.

4. Be that as it may, there is no reason for an application seeking *interim* maintenance to be pending for more than five years. A Division Bench of this court in its judgment of ***Radhika Narang & Ors. v. Karun Raj Narang & Anr.***, 2009 SCC OnLine Del 60, has directed all the courts in Delhi to ensure that disposal of *interim* maintenance applications should be done within one year from its date of filing; and further opined that in matrimonial disputes, *interim* maintenance and custody issues deserve the most expeditious disposal.

5. In terms of the order dated 01.04.2024 passed by the learned Additional Sessions Judge-09, West, Tis Hazari Courts, Delhi in Criminal Appeal No.59/2024, titled ***Vishal Verma v. Twinkle Vinayak***, the application is now listed before the learned MM on



14.05.2024 for hearing.

6. The present petition is therefore disposed of, directing the learned Trial Court not to grant an adjournment to either of the parties on the said date for any reason whatsoever and to take up the hearing of the application filed by the petitioner for *interim* maintenance. An endeavour shall be made by the learned MM to dispose it of within one month from the date of such hearing. It is made clear that in case any of the parties pray for an adjournment on the said date, the same shall be refused and the hearing on the application shall proceed *ex parte* against such party.

7. A copy of this order be also sent to the learned Trial Court for necessary information and compliance.

NAVIN CHAWLA, J

MAY 10, 2024/Arya/am

Click here to check corrigendum, if any