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

% ***Date of decision: 27th March, 2024***

+ CRL.REV.P. 1192/2023 & CrI.M.A.30406/2023
SHANKAR KUMAR Petitioner

Through: Mr. Mohit Kumar Sharma with
Mr.Dev Sejwal, Advocate with
petitioner in person.

versus

ANCY ALPHONSON & ANR. Respondents

Through: Mr. Deepak Agarwal with Mr. Vikas
Pal, Advocates with respondent No.1
in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. Revisionist has taken exception to order dated 28.08.2023 whereby, learned Trial Court has closed his opportunity to file reply to the petition filed by respondent No.1 under Section 125 Cr.P.C.
2. Admittedly, respondent No.1 had filed a petition seeking maintenance under Section 125 Cr.P.C., which is pending adjudication before the learned Principal Judge, Family Court, New Delhi District, Patiala House Court and is now fixed for 30th instant.
3. When the above petition was taken up by the learned Trial Court on 28.08.2023, the right to file reply was closed while observing that there was no explanation as to why the same had not been filed within the time granted by the Court.



4. Respondent No.1 is present in Court in person.
5. This Court has made query from her as well as her counsel Mr. Deepak Agarwal and in all fairness, they have stated that they do not want to delay their matter any further and would have no objection if, without prejudice to their rights and contentions, a time of 10 days' from today is granted to the petitioner to file reply to the main petition as well as to the interim protection. It is also prayed that the petitioner may be subjected to reasonable cost for causing delay in the matter.
6. Learned counsel for the petitioner is ready to bear cost.
7. Keeping in mind the overall facts and circumstances of the case and concession given by learned counsel for the respondent No.1, the present revision petition stands disposed of with the direction that the petitioner shall file reply to the main petition/revision petition before the learned Trial Court within 10 days from today with advance copy to learned counsel for the respondents. The petitioner is also burdened with cost of Rs.20,000/- which he would pay to respondent No.1 within 10 days from today.
8. Petition stands disposed of accordingly.

(MANOJ JAIN)
JUDGE

MARCH 27, 2024/st