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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.REV.P.(MAT.) 91/2024 & CRL.M.A. 34145/2024, CRL.M.A.
34147/2024
PRATEESH AGGARWALPetitioner
Through: Ms. Malavika Rajkotia, Advocate.
versus
PRIYANKA KASHYAPRespondent
Through: Counsel (appearance not given).

CORAM:
HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

% **14.11.2024**

CRL.M.A. 34146/2024 (exemption)

Exemption granted, subject to just exceptions.

The application stands disposed of.

CRL.REV.P.(MAT.) 91/2024

By way of the present petition filed under sections 438 and 442 read with section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023 ('BNSS'), the petitioner impugns order dated 04.10.2024, whereby the learned Family Court has awarded *ad-interim* maintenance of Rs.1 lac per month in favour of respondent.

2. Since the order of *ad-interim* maintenance is an interlocutory order and the proceedings are still pending before the learned Family Court, this court declines to entertain the present petition in view of section 438(2) of the BNSS; and the petition is accordingly disposed-of; without making any observations on the merits of the matter.
3. At this stage Ms. Malavika Rajkotia, learned counsel appearing for the petitioner submits, that since *ad-interim* maintenance awarded is



beyond the petitioner's means as well as the rights of the respondent, the matter requires to be considered by the learned Family Court on an urgent basis.

4. Learned counsel for the respondent disputes the contentions but fairly does not oppose that the matter should be considered expeditiously by the learned Family Court.
5. In view of the above, while disposing-of the present petition, the learned Family Court is requested to take-up the matter for consideration on 05.12.2024, the date already stated to be fixed before the learned Family Court; and to dispose-of the matter at its earliest convenience, subject to the petitioner filing the requisite documents and income affidavits etc.
6. Learned counsel appearing for the respondent also suggests that the parties may explore a mediated-settlement of their disputes, especially since both parties are young and have a long future to look-forward to.
7. Ms. Rajkotia submits that the petitioner would be open to the suggestion; but seeks time to take instructions and revert to learned counsel for the respondent.
8. The petition is disposed-of.
9. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

NOVEMBER 14, 2024/ak