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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 3924/2014 & CRL.M.A. 13442/2014 (For pay an amount of Rs. 25.000/- per month as interim relief.)**

ARCHANA SRIVASTAVA & ORS Petitioners

Through: Mr. Sunil Satyarthi, Advocate.

versus

DES RAJ SHRIVASTAVA & ANR Respondents

Through:

CORAM:
HON'BLE MR. JUSTICE AMIT SHARMA

ORDER
22.02.2024

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1. The petition under Section 482 of Code of Criminal Procedure seeks the following prayers:

“(a) set aside and quash the impugned order dated 31st of may 2014 passed by the Hon'ble court of Shri JP S Malik, Special Judge, CBI - 03, in CR Number 11/14 titled as "Archana Srivastava Vs. Deshraj Srivastava & Ors." and to direct the respondents to pay maintenance to the petitioners as claimed by them in their application filed under sections 12/18/19/20/22 and 23 of the Protection of Women from Domestic Violence Act, 2005;

(b) Pass such other further order/s as this Hon'ble Court deems just and proper in the facts and circumstances of the matter.”

2. It is pointed out that the application bearing CC No. 515966/2016 titled as Archana Srivastava v. Desh Raj Srivastava pending before the learned Metropolitan Magistrate has since been disposed of *vide* a judgment dated 23.02.2021 passed by Ms. Poorva Mehra, MM, Mahila Court-01, Central



Tis Hazari Court, Delhi.

3. Learned counsel appearing on behalf of the petitioner submits that the said judgment is presently under challenge in appeal and is pending before the learned ASJ.
4. In view of the above, learned counsel for the petitioner seeks leave to withdraw the present petition with liberty to agitate the grounds taken herein, including the reliance placed on judgment of the Hon'ble Supreme Court in **Ajay Kumar v. Lata @Sharuti & Ors., in Criminal Appeal No. 617/2019**, before the learned Appellate Court.
5. Leave and liberty granted.
6. The present petition is dismissed as withdrawn and disposed of accordingly.
7. Pending applications, if any, also stand disposed of.

AMIT SHARMA, J

FEBRUARY 22, 2024/K