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

+ **CRL.REV.P. 820/2019 & CRL.M.A. 33059/2019**

SMT. NEETU

.....Petitioner

Through: Ms. Nidhi Mohan Parashar, Mr.
Deepak Yadav, Advocates

versus

SHRI AJAY SHRIVASTAV

.....Respondent

Through: Ms. Mallika Parmar, Advocate
(DHCLSC)

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% **01.07.2025**

1. The present revision petition under Section 19(4) of the Family Courts Act, 1984 read with Section 397(1) of Code of Criminal Procedure, 1973¹ impugns order dated 22nd January, 2019² passed by the Family Court, Dwarka in MT. No. 489/2017 whereby the Petitioner's application seeking interim maintenance under Section 125 of Cr.P.C., was dismissed.
2. The Court is apprised that during the pendency of the instant proceedings, the petition under Section 125 of the Cr.P.C. has substantially progressed and both parties have recorded their evidence. The matter is now scheduled for final arguments on 5th August, 2025.

¹ "Cr.P.C"

² "the impugned order"



3. Having regard to the above development, in the opinion of the Court, the challenge to impugned order is now virtually rendered infructuous as the petition under Section 125 Cr.P.C itself is going to be decided finally and therefore, no adjudication of the present petition is necessary.

4. It is however, clarified that any observations made in the impugned order shall not influence the final decision, which shall be rendered on its own merits, in accordance with law. All rights and contentions of the parties, are left open.

5. It is also noted that on 4th November, 2024, the following order was passed:

“3. In the meantime, it is noted that Rs. 3,000/- per month has been granted in the proceedings under the DV Act as interim maintenance, execution proceedings, in respect of which, are pending against the respondent/husband.

4. List on 30th January 2025.

5. Respondent shall duly comply with the orders in the DV Act proceedings, which have admittedly, not been challenged by him.”

6. Since the impugned order was passed under Section 125 of Cr.P.C seeking interim maintenance, it is clarified that in case of any non-compliance of order passed under the Protection of Women from Domestic Violence Act, 2005, the aggrieved party shall be free to take recourse to appropriate proceedings in accordance with law.

7. In view of the above, the present petition is disposed of along with pending application(s).

SANJEEV NARULA, J

JULY 1, 2025/ab