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

+ **CRL.REV.P. 791/2022 & CRL.M.A. 23965/2022**

SEEMA MAHESHWARIPetitioner

Through: Ms. Seema Maheshwari, Mr.
Amitabh Krishn and Mr. Naveen
Kumar, Advocates

versus

RAJ KAMAL GUPTARespondent

Through: Mr. Anand, Advocate along with
respondent in person

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER

19.02.2025

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1. The instant petition under Section 397 read with Section 401 of the Code of Criminal Procedure, 1973 (now under Section 438 read with Section 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023) has been filed on behalf of the petitioner seeking the following reliefs:

- “(a) Call for the record of the present case i.e. M.T. No. 563/2018 (Old No. 139 of 2017) pending before the Ld. Family Court, East District, Karkardooma Courts, Delhi; and*
(b) Set aside the order dated 23.07.2022 passed by the Ld. Family Court, East District, Karkardooma Courts, Delhi in M.T. No. 563 of 2018; and/or
(c) Direct the respondent to pay the maintenance for the petitioner in order to maintain herself & child as per the lifestyle & status said to have enjoyed at the matrimonial home.
(d) Any such order(s) which the Hon'ble court may deem fit and proper in the facts and circumstances of the case.”

2. Learned counsel appearing on behalf of the petitioner submitted that in terms of the order dated 22nd October, 2024 passed by the Coordinate



Bench of this Court, the matter is listed before the learned Trial Court for final arguments for passing the final order.

3. It is submitted that in pursuance of the order dated 22nd October, 2024, the learned Trial Court fixed the matter on 25th March, 2025 for final arguments. It is submitted that since the matter has already been fixed for the final arguments on 25th March, 2025 before the learned Trial Court, the instant petition may be disposed of.

4. It is further submitted that the order, which shall be passed by the learned Trial Court on the final stage, may be challenged by either of the parties as advised. Therefore, in view of the above facts and circumstances, the instant petition may be disposed of as nothing survives for further adjudication in the matter.

5. Learned counsel appearing on behalf of the respondent has not contradicted the fact that the matter is listed for final arguments before the learned Trial Court on the date fixed.

6. Taking into consideration the statement advanced by learned Counsel for the petitioner and in light of the order dated 22nd October, 2024 passed by the Coordinate Bench of this Court, this Court does not find any reason to keep the matter pending as nothing survives for further adjudication in the matter.

7. Accordingly, the instant petition stands disposed of along with pending applications, if any.

CHANDRA DHARI SINGH, J

FEBRUARY 19, 2025
gs/mk

Click here to check corrigendum, if any