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IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CRL.REV.P.(MAT.) 565/2025 & CRL.M.A. 37251/2025, CRL.M.A. 37252/2025

SMT MAMTA

.....Petitioner

Through: Ms. Nikita Dewan, Adv.
(DHCLSC)

versus

SH MUKESH KUMAR

.....Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

12.12.2025

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1. By the present petition, the petitioner challenges the order dated 25.01.2025 (hereafter '**impugned order**'), passed by the learned Family Court in M. No. 193/2021, whereby the respondent was directed to pay an *ad-interim* maintenance of ₹5,000/- per month to the petitioner for their minor daughter.
2. The petitioner is essentially aggrieved that the awarded maintenance is of a miniscule amount and that while the application for interim maintenance was filed way back in the year 2021, however, the same has still not been decided.
3. Since the impugned order is an interlocutory order, the present petition is not maintainable in view of the bar under Section 438 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*erstwhile* Section 397 of the Code of Criminal Procedure, 2023).
4. However, considering the plight of the petitioner and that the application for interim maintenance has not been decided for



more than four years, this Court considers it apposite to direct the learned Family Court to decide the said application expeditiously. The learned Family Court is also directed not to given any unwarranted adjournment to any of the parties.

5. The present petition is disposed of in the aforesaid terms. Pending applications also stand disposed of.

6. A copy of this order be communicated to the concerned Family Court for necessary compliance.

AMIT MAHAJAN, J

DECEMBER 12, 2025

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