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

+ **CRL.REV.P. 414/2022 & CRL.M.A. 13018/2022**

POOJA AJMANI

.....Petitioner

Through: Mr H K Nahata & Mr. V P Singh,
Advs.

versus

MANISH AJMANI

.....Respondent

Through: Mr Akshay Sharma & Ms Monika
Sharma, Advs.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

% **04.10.2024**

CRL.M.A. 13019/2022 (for condonation of delay)

1. This application has been filed seeking condonation of delay of 937 days in filing the criminal revision petition.
2. The petition has been filed assailing order dated 8th July 2109 under Section 125 Cr.P.C. declining the interim maintenance to petitioner-wife.
3. In August 2019, a review application had been filed by petitioner-wife which remained pending on the Board of the Trial Court throughout the period of Covid pandemic as well and was finally withdrawn by petitioner-wife on 6th June 2022; which was accordingly allowed. In the meantime, in June 2022 itself, instant petition was presented.
4. Accordingly, this Court finds that explanation given by the counsel for petitioner is legitimate even though the filing of the review application may have been wrongly advised; however, the petitioner cannot be burdened with an incorrect advice of their counsel.



5. Accordingly, the application is allowed and delay in filing review petition stands condoned.
6. Application stands disposed of.

CRL.REV.P. 414/2022

1. Issue notice.
2. Counsel for respondent accepts notice.
3. It is informed that final maintenance proceedings are afoot before the Trial Court where petitioner's evidence is being recorded at this stage.
4. It is made clear that proceedings before the Trial Court shall continue unabated and irrespective of pendency of proceedings before this Court.
5. List on 14th February 2025.
6. Order be uploaded on the website of this Court.

ANISH DAYAL, J

OCTOBER 4, 2024/sm