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

+ **CM(M) 2724/2024**

KANU PRIYA SHARMA

..... Petitioner

Through: Ms. Malavika Rajkotia and Ms.
Trisha Gupta, Advs.

versus

SAMEER BHATIA

..... Respondent

Through: Ms. Preeti Singh, Mr. Sunklan Porwal
and Ms. Shefali Menezes, Advs.

CORAM:

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

% **30.05.2024**

CM APPL. 33612/2024—Exp.

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

CM(M) 2724/2024, CM APPL. 33613/2024—for summoning TCR

3. The supervisory jurisdiction of this Court has been invoked under Article 227 of the Constitution of India seeking directions for expeditious disposal of petitioner's application under Section 26 of the Protection of Women from Domestic Violence Act, 2005 pending before learned Judge, Family Court, Saket Court, New Delhi in HMA No. 132/2022 titled as "Sameer Bhatia vs. Kanu Priya Sharma".
4. Learned counsel has made the prayers, which are as under:-

"1. Direct the Ld. Family court, South East, Saket Court, to dispose of the application under section 26 of Protection of Women from



Domestic Violence Act, 2005 in the Divorce matter numbered as HMA 132/22 in an expeditious manner,

2. Direct the Respondent to release the salary and expenses of the Petitioner in the first week of every month,

3. Direct the Respondent to pay compensation of Rs.5 crores for abuse of process of court by wilfully disobeying the order dated 25.04.2024 passed by the Ld. Family court, South East, Saket Court.”

5. Learned counsel for the petitioner submits that application under Section 26 of the Hindu Marriage Act, 1955 is pending disposal before learned Judge, Family Court, Saket Courts since June, 2022 and despite giving an undertaking by the respondent before learned Judge, Family Court to release the salary in favour of the petitioner and to give expenses to the petitioner, he has defaulted in doing so since the undertaking has been given.

6. Issue notice.

7. Ms. Preeti Singh, learned counsel on behalf of the respondent appears on advance notice and accepts notice and submits that already an application for modification of order dated 25.04.2024 is pending before learned Judge, Family Court. Learned counsel further submits that a reply to the present petition is to be filed on behalf of respondent.

8. Reply be filed within six weeks with an advance copy to the opposite side. Rejoinder, if any, thereafter be filed within two weeks with an advance copy to the opposite side.

9. List for hearing on 12.09.2024.

SHALINDER KAUR, J

MAY 30, 2024/ss