

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

Case:- CRM(M) No. 1090/2023
CrlM No. 2196/2023

Rajesh Sharma

.....Petitioner

Through: Mr. Vikas Magotra, Advocate

Vs

Jyoti Sharma

..... Respondent

Through:

Coram: HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE

**ORDER
27.12.2023**

The petitioner is aggrieved of a direction given in an order dated 21.11.2023, whereby the court of Additional Sessions Judge, Jammu, acting on the appellate side jurisdiction has interfered with the order dated 11.08.2023 passed by the court of Municipal Magistrate, Jammu in a domestic violence petition filed by the respondent and, has accordingly, directed the petitioner herein to provide residential accommodation to the respondent in the alleged matrimonial household at the first floor of House No. 72, Jalebi Morh, Subash Nagar, Jammu

Learned counsel for the petitioner argues that the matrimonial dispute going on between the petitioner and the respondent is so acrimonious that the impugned direction as given

in said order is going to result in a very foul atmosphere in the shared household and in this regard learned counsel for the petitioner draws the attention of this Court to the CCTV captured footage as photographs annexed.

Prima facie case is made out.

Petitioner to furnish registered postal cover for effecting the service of the respondent within a period of ten days, whereupon the Registrar Judicial, Jammu to issue notice to the respondent.

In the meantime, operation of the direction directing the petitioner to provide residential accommodation to the respondent in the shared household shall remain stayed. However, the petitioner shall continue to act in obedience to the direction as given in terms of order dated 11.08.2023 by the Municipal Magistrate, Jammu with respect to the payment of rental maintenance in favour of the respondent.

List this case on 05.02.2024.

(RAHUL BHARTI)
JUDGE

JAMMU
27.12.2023
Muneesh