

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).25620/2005

(From the judgement and order dated 05/12/2005 in CMM No. 1321/2005 of the HIGH COURT OF DELHI AT N. DELHI)

KANTA MITTAL & ANR.

Petitioner(s)

VERSUS

NEETU MITTAL & ORS.

Respondent(s)

(With appln(s) for exemption from filing c/c of the impugned Judgment and prayer for interim relief )

Date: 02/01/2006 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE C.K. THAKKER

HON'BLE MR. JUSTICE R.V. RAVEENDRAN

For Petitioner(s)

Mr. Mukul Mudgal Rastagi, Sr.Adv.

Mr. Nandani Swahny, Adv.

Mr. Sudhir Nandrajog,Adv.

For Respondent(s) Mrs. Geeta Luthra, Adv.

Mr. Sanjeev Sahai, Adv.

Mr. D.N. Goburdhan, Adv.

UPON hearing counsel the Court made the following

O R D E R

The First Appellate Court, by order dated 30th May, 2005, restrained

respondent Nos.1 and 2 from entering the house of the petitioners at Ashok Vihar, Delhi.

Respondent No.1 is the wife and respondent No.2 is the husband. There are

matrimonial disputes between the husband and the wife. The order dated 30th May,

2005 restraining the respondents as above was challenged before the High Court by the

wife. By impugned judgment/order, the High Court, setting aside the order of

injunction, has

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directed the First Appellate Court to expeditiously decide the appeal and dispose it of

within one month from 5th December, 2005 being the date of judgment/order of the High

Court. The judgment/order of the High Court dated 5th December, 2005 has been

stayed by this Court on 9th December, 2005 by directing maintenance of status quo.

We are told that the First Appeal is listed before the learned Additional Senior Civil Judge today. We hope that the said appeal, being M.C.A.No.127 of 2005, would be disposed of if not today, then within the time granted by the High Court. Under these circumstances, we will continue the order of status quo granted on 9th December, 2005 till the matter is decided by the First Appellate Court.

The special leave petition is disposed of accordingly.

(N. Annapurna)

Court Master

(V.P. Tyagi)

Court Master