

Most Urgent/Out at once

OFFICE OF THE PRINCIPAL DISTRICT & SESSIONS JUDGE (HQ): DELHI

No. 10/35-10/4 Genl./HCS/2023

Dated, Delhi the 02 MAY 2023

Sub: Circulation of copy of Order dated 19.04.2023 passed by Hon'ble Ms. Justice Prathiba M. Singh in W.P.(C) 4978/2023 & CM Appl. 19419/2023, titled "Gayatri Kumar Sahdev Vs. State NCT of Delhi & Ors." for information and immediate compliance/necessary action.

A copy of the letter no. 10602-W/DHC/Writs/D-4/2023 dated 26.04.2023 bearing diary no. 1093 dated 28.04.2023 alongwith copy of order dated 19.04.2023 passed by Hon'ble Ms. Justice Prathiba M. Singh in the abovesaid matter is being circulated for information and immediate compliance/necessary action to :-

1. The Ld. Principal Judge, Family Court, Central District, Tis Hazari Courts, Delhi.
2. The Ld. Judge, Family Court, Central District, Tis Hazari Courts, Delhi.
3. The Ld. Registrar General, Hon'ble High Court of Delhi, New Delhi for information.
4. PS to the Ld. Principal District & Sessions Judge (HQs), Tis Hazari Courts, Delhi for information.
5. The Chairman, Website Committee, Tis Hazari Courts, Delhi with the request to direct the concerned official to upload the same on the Website of Delhi District Courts.
6. Dealing Assistant, R&I Branch for uploading the same on LAYERS.
7. For uploading the same on Centralized Website through LAYERS.


02/05/23
(RAKESH PANDIT)

Officer-in Charge, Genl. Branch, (C)
Addl. District & Sessions Judge,
Tis Hazari Courts, Delhi

02/05/23

Encls. As above.

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Most Urgent

IN THE HIGH COURT OF DELHI AT NEW DELHI

Copy of Order

No. 10602-W DHC/WRITS/D-4/2023
Dated 26/4/23 Disposed of 1093



From

The Registrar General
Delhi High Court
New Delhi

To

1. The Principal District & Sessions Judge (HQ), Tis Hazari Courts Complex, Delhi.
2. The Principal District & Sessions Judge (South), Saket Courts Complex, New Delhi.
3. The Principal District & Sessions Judge (North-West), Rohini Courts Complex, Delhi.
4. The Principal District & Sessions Judge (New Delhi), Patialal House Courts Complex, New Delhi.
5. The Principal District & Sessions Judge (East), Karkardooma Courts Complex, Delhi.
6. The Principal District & Sessions Judge (South-East), Saket Courts Complex, Delhi.
7. The Principal District & Sessions Judge (North), Rohini Courts Complex, New Delhi.
8. The Principal District & Sessions Judge (South-West), Dwarka Courts Complex, New Delhi.
9. The Principal District & Sessions Judge (Shahdara), Karkardooma Courts Complex, Delhi.
10. The Principal District & Sessions Judge (North-East), Karkardooma Courts Complex, Delhi.
11. The Principal District & Sessions Judge (West), Tis Hazari Courts Complex, Delhi.
12. The Principal Judge (HQ), Family Courts Dwarka, New Delhi.
13. Ld. Judge Smita Garg, Family Court-01, South-East District, Saket Courts, Delhi.
14. Mr. Sudhir Kumar Sahdev,
33, Ring Road, Lajpat Nagar-IV,
New Delhi-110024.
Email: sudhirkumar8@hotmail.com,
Cell & W/A: +91-98731-27888.

WRIT PETITION (C) NO. 4978/2023 & CM APPL. 19419/2023

Gayatri Kumar Sahdev
Vs.
State NCT of Delhi & Ors.

....Petitioner/s

....Respondent/s

Genl. Br.

P. P. f. SJ (HRS)

(2)

Sir/Madam,

I am directed to forward herewith a copy of order dated 19.04.2023 passed by Hon'ble Ms. Justice Prathiba M. Singh of this Court in the above noted case along with a copy of memo of parties, for information and immediate compliance/necessary action.

Please acknowledge the receipt.

Yours faithfully,

Sanshu
25.04.2023

Admn. Officer (Judl.) (Writ)
For Registrar General

25.04.2023

V

IN THE HIGH COURT OF DELHI AT NEW DELHI
(EXTRAORDINARY CIVIL WRIT JURISDICTION)

WRIT PETITION (C) NO. OF 2023

IN THE MATTER OF:

GAYATRI KUMAR SAHDEV ... PETITIONER

VERSUS

STATE NCT OF DELHI & OTHERS ... RESPONDENTS

MEMO OF PARTIES

MS. GAYATRI KUMAR SAHDEV
D-289, TERRACE, 5TH FLOOR,
DEFENCE COLONY,
NEW DELHI-110 024
E-MAIL: N/A
CELL & W/A: +91-98713-27785 ... PETITIONER

VERSUS

1. STATE NCT OF DELHI
(THROUGH ITS PRINCIPAL SECRETARY)
DEPARTMENT OF LAW, JUSTICE AND
LEGISLATIVE AFFAIRS,
GOVERNMENT OF NCT OF DELHI,
8TH LEVEL, C-WING,
DELHI SECRETARIAT,
NEW DELHI-110 002
E-MAIL: STANDINGCOUNSELGNCTD@GMAIL.COM
CELL & W/A: +91-98682-50806 ... RESPONDENT NO. 1

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W.P.(C)-4978/2023

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2. MR. SUDHIR KUMAR SAHDEV
33, RING ROAD,
LAJPAT NAGAR-IV,
NEW DELHI-110 024
E-MAIL: SUDHIRKUMAR8@HOTMAIL.COM
CELL & W/A: +91-98731-27888 ... RESPONDENT NO. 2
3. MS. GEETIKA KUMAR SAHDEV
L-16/2, DLF PHASE-II,
SECOND FLOOR, GURUGRAM,
HARYANA-122 008
E-MAIL: GEETIKASAHDEV@GMAIL.COM
CELL & W/A: +91-98916-71660 ... RESPONDENT NO. 3

FILED THROUGH:

[Signature]

(Suhail Malik/ Danish Chowdhury/ Vikas Malik)
The Veritas Chambers
Law Offices
(Counsels for the Petitioner)
I-45, First Floor, Jangpura Extension,
Delhi-110014
Contact: 9999964750, 9873875390, 6006515193
E.mail: chambersofsuhailmalik@gmail.com

New Delhi
Dated: 17.04.2023

[Signature]

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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(C) 4978/2023 & CM APPL. 19419/2023

MS. GAYATRI KUMAR SAHDEV Petitioner

Through: Mr. Suhail Malik, Mr. Danish Chowdhury and Mr. Vikas Malik, Advocates along with the Petitioner (M: 9999964750).

versus

STATE NCT OF DELHI & ORS. Respondents

Through: Mr. Abhinav Singh, Advocate for R-1 (M: 9811188892). Mr Sundeep Sehgal and Mr Tushar Pahadia, Advocates (M: 9810005572).

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

% **19.04.2023**

1. This hearing has been done through hybrid mode.
2. The present is an unfortunate case where the daughter i.e., the Petitioner has been forced to approach the Court seeking maintenance against both her parents who are embroiled in a matrimonial dispute. The case of the Petitioner is that despite several orders and proceedings pending between the parties before various forums, she has been forced to live alone without any maintenance.
3. Ld. Counsel for the Petitioner submits that both the parents are well off and in fact the Petitioner's father has a large rental income, however the Petitioner is being made to suffer by her father due to the fact that she had supported her mother in the matrimonial dispute. Ld. Counsel submits that the Petitioner is currently living in a Barsati Floor in Defence Colony.

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4. Ld. Counsel for the Petitioner further submits that in the maintenance proceedings before this Court in *Crl. M.C. No.3248 of 2021* titled *Sudhir Kumar Sahdev Vs. State NCT of Delhi & Others* maintenance amount was also fixed in favour of the mother of the Petitioner, however, the Petitioner was not awarded any maintenance.

5. Thus, the prayer in this petition is for the early adjudication of the application for interim maintenance filed by the Petitioner in *HAMA No. 3 titled Gayatri Kumar Sahdev v. Sudhir Kumar Sahdev & Anr.* which is pending before the Id. Judge 01 (South-East), Family Court, New Delhi (*hereinafter as, "ld. family Court"*).

6. None appears for Respondent No.2 i.e., the father of the Petitioner.

7. Ld. counsel appearing for the Respondent No.3 i.e. mother of the Petitioner submits that she has no objection if the application for interim maintenance filed by the Petitioner is taken up and adjudicated on an early date. Ld. counsel further clarifies that the mother of the Petitioner receives Rs.80,000/- per month as maintenance.

8. In the overall facts and circumstances where the Petitioner is stated to be living alone in a Barsati Floor and her parents appear to be financially well off, as also the fact that the next date of hearing in the matter before the Id. Family Court is 31st May 2023, it is directed that the Id. Family Court shall take up the interim maintenance application of the Petitioner on 1st May, 2023 and decide the same within 30 days thereafter.

9. Copy of this order shall be communicated to the Petitioner's father/Respondent No.2 through all modes including by email to enable him to appear before the Id. Family Court on the next date of hearing.

10. Copy of this order be communicated to the Id. Family Court.

11. At this stage, on a query from the Court as to when the application for interim maintenance was filed by the Petitioner, the Court is informed that the same was filed on 18th March, 2023. A perusal of the orders on record show that the first date of listing of the said application before the Id. Family Court was 15th April, 2023, i.e., almost after a month. However, Id. Counsel for the Petitioner clarifies that there were some objections which were removed on 28th March, 2023. Even going by the said date, the first listing before the Id. Family Court was after a long delay. The Petitioner is said to be in severe financial distress.

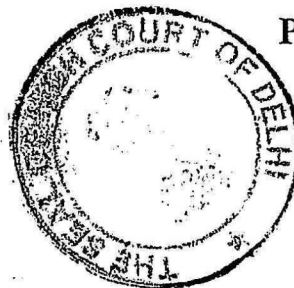
12. The Court has enquired from the counsels who are present in the Court as to what is the usual time taken for the first date of listing a matter before the Family Courts in Delhi, after it has been cleared of objections. The submissions which have been made by the counsels reveals that the first date of listing could vary from 15 days to 3 months.

~~13.~~ Let all the Principal District and Sessions Judges look into the matter and file a report giving details of average first date of listings of cases, in the Family Courts. The said report shall be filed with the worthy Registrar General of this Court which shall be placed before this Court within one month.

14. With these observations, the petition, along with all pending applications, is disposed of.

15. List on 24th May, 2023 for compliance.

APRIL 19, 2023
mr/dj/kt



gdc
PRATHIBA M. SINGH, J.