

**(2022) 11 MP CK 0087**  
**In the Madhya Pradesh High Court**  
**Case No : Criminal Revision No. 4446 Of 2022**

Kundan

APPELLANT

Vs

Shivani

RESPONDENT

**Date of Decision :** 23-11-2022

**Acts Referred:**

Family Court Act, 1984 — Section 19(4)  
Code Of Criminal Procedure, 1973 — Section 397, 401

**Citation :** (2022) 11 MP CK 0087

**Hon'ble Judges :** Rajendra Kumar (Verma), J

**Bench :** Single Bench

**Advocate :** Poorva Mahajan

**Final Decision :** Dismissed

## Judgement

Rajendra Kumar (Verma), J

Applicant has preferred this revision petition under Section 19(4) of the Family Court Act r/w Section 397 & 401 of Cr.P.C against the order dated 15.11.2022 passed by Principal Judge, Family Court, Dhar in MJCR No.71/2022.

After arguing for some time, learned counsel for the petitioner seeks permission of this Court to withdraw this petition with liberty to raise the objections/points, raised in this petition, before the Family Court/trial Court at the time of consideration of application for interim maintenance.

Prayer is allowed.

Accordingly, Cr.R. No.4446/2022 is dismissed as withdrawn, however, it is directed that if the questions/objections, raised in this petition, are raised before the Family Court/trial Court at the time of deciding the application for interim maintenance and in pursuance to judgment passed by Hon'ble Supreme Court in the case of Rajnesh vs. Neha and Anr. reported as (2021)2 SCC 324, if respondent/wife has not filed an affidavit for disclosure of assets and liabilities,

then the trial Court is at liberty to consider and decide the application in accordance with law.

Certified copy, as per Rules.