

24.11.2025

File taken up on an application for modification moved on behalf of the revisionist.

Present: Revisionist is present through VC.

Sh. Bimlesh Kumar, Sh. Parmanand and Sh. Vinit,
Ld. counsels for the revisionist.

Sh. Ravi Kumar, Ld. Substitute Addl. PP for the State/
respondent no. 1.

Sh. Anshul Mitra, Ld. counsel for the respondent no. 2
and 3 through VC.

Sh. Trideep Narayan Pandey, Ld. counsel for
respondent no. 4 and 5.

1. It is submitted by the Ld. counsel for the revisionist that he has moved an application stating that on last date of hearing, he was absent and in his absence, the revisionist was directed to take adjournment before the executing court in maintenance matter which was fixed for 03.11.2025. It was argued by the counsel that the said order appears to be passed in the appeal which has been preferred by the opposite party as the above said order will cause prejudice to the revisionist because under the garb of the above said order, the respondent is shying away from making payment towards maintenance.

2. Per contra, the above said application was strongly opposed by Sh. Trideep Narayan Pandey, Ld. counsel for respondent no. 4 and 5, the present application is not maintainable as the order dated 01.11.2025 is clear itself and as such there is no clerical mistake in the said order.

3. The above said application has also strongly opposed by Sh. Anshul Mitra, Ld. counsel for the respondent no. 2 and 3, who has appeared through VC arguing that order is crystal clear which was passed for the reason, "absence of counsel of the revisionist". It is further argued by the Ld. counsel for the respondent no. 2 and 3, that the counsel for the revisionist in the present revision petition, which was listed for 01.11.2025, sought adjournment however, he argued in the matter of maintenance on 03.11.2025 vehemently. It is argued by the counsel for the respondents no. 2 and 3 that payment of Rs. 7000/- has been made in 3 days prior to the present date of hearing.

4. Arguments heard. Record perused.

5. The order dated 01.11.2025 is clear in itself as that particular order was passed for the absence of the main counsel for the revisionist. Further admittedly the next date before the court of Ld. MM regarding maintenance is in the month of January, 2026, though, in the present case the next date of hearing is 20.12.2025 and the execution petition proceedings have been stayed only till next date of hearing i.e. 20.12.2025. Therefore, I am not convinced with the submissions of the counsel for the revisionist that the order dated 01.11.2025 caused/or would cause any substantial harm to the revisionist.

6. In view of the above, the above said application is hereby stands dismissed.

Put up for date fixed i.e. 20.12.2025.

(VANDANA)
Addl. Sessions Judge-02(North)
Rohini Courts Delhi
24.11.2025