

06.05.2026

Ld. Regular Addl. PP and One of the regular P.A is on leave today.

Present : Ld. Counsel Ms. Vandana Anand for appellant.

This is an appeal u/s. 29 of PWDV Act against the Impugned Order dt. 23.03.2026 passed by Ld. JMFC, Mahila Court-02 in execution petition No. 346/2025.

Ld. Counsel prays for stay of the impugned order by submitting that though the respondent is residing in the shared matrimonial home but still, Ld. Trial Court has not considered the objections of appellant and passed the Impugned Order.

Perusal of the impugned order shows that physical possession of the shared matrimonial home was provided to the DH / respondent on 15.05.2025 by the Order of Ld. Principal District & Sessions Judge, North West, Rohini and the Ld. Trial Court after considering the submissions, passed the order that the present execution petition is maintainable for 24.02.2022 till 15.05.2025 in the present form and JD is liable to pay Rs.3,12,000/-, if not already paid.

At this stage, Ld. Counsel for appellant submits that respondent herself refused to reside in the shared matrimonial home, as per the report of SHO dt. 15.03.2024. Ld. Counsel further argued that this is the fault of the respondent.

When it is told to Ld. Counsel for appellant that there is no ground for stay, as the execution is for the payment for

the period w.e.f. 24.02.2022 till 15.05.2025, Ld. Counsel has vociferously argued that applicant has the liability for payment of rent for 24.02.2022 till 15.03.2024 but he has already paid the said amount before the Ld. Family Court. Ld. Counsel for the appellant had been advised to maintain decorum and to argue without raising her voice. Even, she was asked to take a break and come for arguments after an hour but she requested that she may be given date for 01.07.2026 in this matter and her other appeal is also listed today.

Accordingly, list the present appeal on **01.07.2026**.

Let notice be issued to respondent on filing of PF/RC, returnable on **01.07.2026**.

(MUNEESH GARG)
ASJ-03 (NORTH-WEST)
ROHINI COURTS
DELHI/06.05.2026