

MEX – 59 of 2020

Order dated : 19.03.2025

Today is fixed for payment.

Both sides files hazira.

Now the petition is taken up for hearing.

Ld. Advocate for the petitioner submits that on 3rd October, 2024 she has filed a petition for tagging the arrear for the period of March, 2022 to February 2023 comprising of an amount of Rs. 24,000/- and similarly arrear amount from March, 2022 to March, 2024 comprising of Rs. 24,000/-.

Ld. Advocate for the Opposite Party submits both the petition is bad in law and is liable to be rejected. Moreover he has preferred for dropping the instant case as the entire dues clear.

Heard and Considered.

As per provision of law there is no bar to file a petition for arrear maintenance after a lapse of one year though warrant cannot be issued if the tagging petition is not preferred within one year. For the period from March, 2022 to March, 2024 as there is a delay to file the petition so warrant cannot be issued for that period but there is no bar in accordance with law to allow the tagging petition.

Hence, both the petition 3rd October, 2024 and 17th February, 2025 is allowed.

As both the petition is allowed. Now the arrear to be paid by the Opposite Party to the petitioner is around Rs. 48,000/- therefore O.P. is directed to pay not less than Rs. 2,500/- to the petitioner on the next date.

Fix 29.04.2025 for payment.

Judicial Magistrate