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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.REV.P. 872/2019**

VINAY BHAGAT

..... Petitioner

Through: Ms.Sahiba Singh and Ms.Anjali,
Advocates.

versus

POOJA & ANR

..... Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

02.05.2022

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CRL.M.A. 8354/2022

1. This application is filed with following prayers :

*(a) The impugned order passed by the Ld. Trial Court
dt.01.05.2019 be stayed till the pendency of the Present Petition.*

*(b) The documents filed with the present application be taken on
record.*

2. The main petition is filed challenging the order dated 01.05.2019 passed by the learned Principal Judge, Family Court, Karkardooma Court, Delhi in M.T.No.162/2018 (2013).

3. It is the submission of learned counsel for the petitioner vide the impugned order the monthly income of the petitioner has been assessed as Rs.50,000/- to Rs.70,000/- per month and whereas the impugned order shows the respondent was not working since the year 2013.

4. In this revision petition, notice has already been issued to the respondent on 17.01.2020. At such time stay against the arrears as also the maintenance so awarded was never pressed.

5. Today the present application is moved pressing for stay since the respondent has filed an exemption application to get arrears of maintenance which the petitioner allegedly is not paying.



6. It is the submission of learned counsel for the petitioner, the petitioner has filed various RTI applications and it has now come to his knowledge the respondent No.2 had concealed the factum of her employment from the learned trial Court and all along she has been employed, working as a Lecturer Maths Guest Teacher for 1540 days in three school of Zone-2, Dte. Of Education of Delhi Govt. School ID 1002016, 1002177 and 1002025 of NCT of Delhi w.e.f. 04.11.2013 to 13.06.2021 and salary was paid to her vide bills etc., copies enclosed.

7. It is argued this fact was throughout concealed by the respondent and she had obtained the maintenance order for herself to the tune of Rs.10,000/- per month.

8. These RTI applications as also its replies were never a part of the Trial Court record and were obtained later.

9. Notice of this petition has already been issued to the respondents herein hence it would be appropriate if notice of this application be also issued to the respondents and till then the Execution Petitions viz. 61/2022, 38/2022 and 266/2019 are stayed till further orders, since the petitioner claims to have deposited uptill now a sum of Rs.7.65 lacs towards arrears and has been paying monthly maintenance every month. The petitioner shall continue paying monthly maintenance as awarded, till further orders to the respondent and her child.

10. Issue notice to the respondents by all modes returnable on 04.08.2022 along with present petition.

YOGESH KHANNA, J.

MAY 02, 2022

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