



\$~Sp. Bench (Crl.) 1

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.REV.P. 363/2021**

DHIRENDRA KUMAR Petitioner

Through: Mr. Ajit Kumar, Advocate.

versus

SWATI SAISTA Respondent

Through: Respondent in person (thru VC)

CORAM:
HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

% **27.05.2024**

CRL.M.A. 16424/2024

1. This application has been filed by petitioner/husband (Mr. Dhirendra Kumar) seeking modification of order passed by this Court on 23rd February 2023. The matter has been transferred by Roster Bench for a limited purpose, since Mr. Dhirendra Kumar (petitioner in CRL.REV.P. 363/2021) is seeking modification of order passed by this Court.
2. The application for modification pleads various grounds in relation to the income and employment of petitioner., which cannot be reagitated for the purpose of modification. These cannot be circumstances to seek modification of an order, which was passed way back in February 2023.
3. In the opinion of this Court, the said order of 23rd February, 2023 was passed simpliciter due to arrears of maintenance which had not been paid by petitioner/husband to his wife, Ms. Swati Saista (petitioner in CRL.REV.P.



43/2022) and there is nothing in this application which justifies modification of the said order.

4. Subsequent orders of the trial court and developments cannot also be a ground to seek modification of an order passed on 23rd February, 2023. It is also noted that an application being CRL.M.A. 21249/2023 had been filed by the husband seeking extension of time to comply with the order dated 23rd February, 2023, which was dismissed by Roster Bench on 9th August, 2023.

5. All other contentions which are being raised by counsel for petitioner/husband are not relevant for the prayer for modification of the order dated 23rd February, 2023.

6. The application is dismissed and disposed of accordingly.

CRL.REV.P. 363/2021

1. Matter be placed before the Roster Bench on 29th May, 2024, the date already fixed.

2. Order be uploaded on the website of this Court.

ANISH DAYAL, J

MAY 27, 2024/sm/na