



\$~25

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.REV.P. 227/2018 CRL.M.A. 4854/2018 CRL.M.A.**
32364/2018

AMIT KUMAR SHARMA

.....Petitioner

Through: Mr. Satish Tamta, Sr. Advocate with
Mr. Shariq Iqbal, Ms. Manavi Joshi
and Ms. Rashi Jain, Advocates.

versus

MEENAKSHI SHARMA

.....Respondent

Through: Mr. Prashant Mendiratta, Ms. Neha
Jain, Mr. Arjun Sharma, Ms. Aditi
Chaudhary and Ms. Tanya Bhutan,
Advs.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER
01.10.2024

%

1. This petition has been filed impugning order dated 22nd January, 2018 passed by the ASJ in DV Act proceedings dismissing the appeal against the order of the MM dated 22nd May, 2015. The MM directed maintenance of Rs.1 Lac to the wife and Rs.40,000/- to the minor child with effect from date of filing the petition. The petitioner is resident in Singapore since 2006. Basis the income of the petitioner in Singapore, the maintenance was granted, appeal against which is dismissed by the impugned order. An amount of Rs.10 Lacs was released to the respondent/wife in terms of the order dated 12th December, 2017 in CRL.M.C. 5187/2017.
2. Senior counsel for the petitioner states that the petitioner is not working



anymore in Singapore and has sold the house in which he and his wife had originally resided. Counsel for the respondent states that no amounts have been paid despite about Rs.5 Crores of arrears and 7 executions are pending against the petitioner.

3. It is also noted that on 15th March, 2018, the Court had directed deposit of the entire maintenance amount payable for the son with effect from 01st October, 2012 @ Rs.40,000/- per month and deposit of 50% of the amount payable to the respondent/wife within a period of four weeks. Subject to the deposit, the execution of the impugned order was to be stayed. The said amounts have also not been deposited and accordingly, there is no stay on the impugned order.

4. It is accordingly clarified that the respondent shall be at liberty to continue its execution proceedings and take appropriate steps as may be permitted in accordance with law.

5. Counsel for the respondent states that the arrears towards the child are about Rs.57 Lacs.

6. In the meantime, in the interest of justice and considering the welfare of the 13-year-old minor child, whose custody is with the respondent/wife, the following directions are made:

- (i) The petitioner shall deposit an amount of Rs.20 Lacs before the Court within six weeks from today, which will be without prejudice to the rights and contentions of the parties.
- (ii) An affidavit shall be filed by the petitioner stating the details of his employment as well as his current employment. It has also been stated that the house which was owned by the petitioner and the respondent in Singapore was sold by the petitioner with



consent of the respondent. The value of the sale proceeds may also be stated in the said affidavit.

(iii) The respondent shall file an affidavit regarding the status of the child and his current educational details and the expenses which has been incurred on the child.

7. These directions are passed to secure the welfare of the minor child, keeping aside the respective rights and contentions of the parties in this revision.

8. The amount as and when deposited shall be permitted to be released to the respondent on their application. The Registry is directed, accordingly.

9. List on 25th November, 2024.

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

ANISH DAYAL, J

OCTOBER 1, 2024/MK