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

+ **CRL.M.C. 8910/2025 (*Disposed off case*)**

RADHE SHYAM ROY

.....Petitioner

Through: Mr. Sanjay Sharawat, Senior
Advocate with Mr. Ravi Kant &
Mr. Chandra Shekhar Singh,
Advocates.

versus

KALPANA KUMARI

.....Respondent

Through: Mr. R.K. Naroola, Mr. Udayan
Mukherji, Ms. Jaya Pahwa, Ms.
Ria Jain, Ms. Tanya Vats & Mr.
Sagar, Advocates.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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29.04.2026

CRL.M.A. 13417/2026 (*clarification of the order dated 16.01.2026 and 27.01.2026*)

1. The captioned petition was filed by the petitioner/husband against an order of the learned Family Court, granting ad-interim maintenance to the respondent/wife.

2. The petition was disposed of on 16.01.2026, with the following order:

“2. After some hearing, Mr. Sanjay Sharawat, learned Senior Counsel for the petitioner, and Mr. Keshav Raj, learned counsel for the respondent, agree that the captioned petition itself may be taken on board and disposed of, with liberty to the parties to raise all their rights and contentions with regard to the quantum of interim maintenance before the Family Court. The learned Family Court shall decide the issue in accordance with law, without being



influenced in any manner by the quantum of ad interim maintenance fixed by the impugned orders.

3. *I am informed that the maintenance petition is next listed before the Family Court on 11.12.2026. The parties shall appear before the Family Court on the said date.*

4. *In the meanwhile, the proceedings for execution of the order of ad interim maintenance are in progress and are next listed on 30.01.2026. In order to enable the parties to argue the case of interim maintenance on merits, it is directed that the execution proceedings shall be deferred to be heard alongwith the proceedings for interim maintenance, subject to the deposit of an amount of Rs.5,00,000/- by the petitioner by 30.01.2026 and a further sum of Rs.5,00,000/- by 14.02.2026.”*

3. The aforesaid order was subsequently clarified on 27.01.2026, to the following effect:

“2. Having heard learned counsel for the parties, and with their consent, the following corrections/clarifications are hereby incorporated in the order dated 16.01.2026:

- a) In paragraph 3 of the order, the next date of hearing before the Family Court shall read as 11.02.2026, instead of 11.12.2026.*
- b) It is clarified that the deposits directed under paragraph 4 of the order shall be made before the Family Court.”*

4. The present application has been preferred by the respondent/wife, seeking a clarification to the effect that the amount of Rs. 10,00,000/- deposited before the learned Family Court be released in her favour, and further seeking directions for payment of the ongoing instalments of ad-interim maintenance granted to her.

5. I am informed by learned counsel for the parties that the respondent’s application for interim maintenance has been heard by the learned Family Court, and reserved for orders/clarification on 08.05.2026.

6. As orders on the main application have already been reserved by the learned Family Court, I am of the view that the clarifications sought



in the present application do not warrant consideration at this stage. The amount deposited by the petitioner before the learned Family Court shall be dealt with and disbursed in accordance with the final directions that may be passed by the said Court. However, the learned Family Court is requested to ensure that, in the event the application is not disposed of on 08.05.2026 as scheduled, the same is decided expeditiously thereafter.

7. Ms. Jaya Pahwa, learned counsel for the respondent, further submits that one of the demand drafts deposited in terms of the order dated 16.01.2026 has already expired, while the second is due to expire on 02.05.2026. In terms of the order dated 16.01.2026, the amount of Rs. 10,00,000/- was directed to remain deposited before the learned Family Court as a condition for deferment of execution proceedings, to be disbursed in accordance with the final outcome of the maintenance petition.

8. Mr. Sanjay Sharawat, learned Senior Counsel for the petitioner, assures the Court that, in the event either or both of the demand drafts have lapsed, the requisite amount shall be deposited before the learned Family Court on or before 06.05.2026, as a condition for the continuation of the stay on execution granted by this Court.

9. The application, accordingly, stands disposed of in terms of the above.

PRATEEK JALAN, J

APRIL 29, 2026

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