



via Video-conferencing

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

+ **W.P.(CRL) 1189/2010**

AJAY MOHAN KAPOOR

..... Petitioner

Through: **Mr. R.P. Luthra, Advocate.**

versus

STATE & ANR

..... Respondents

Through: **Mr. Rajesh Mahajan, ASC (Criminal)**
for the State with **Ms. Jyoti Babbar,**
Advocate for respondent No.1.
Mr. L.S. Saini, Advocate for
respondent No.2.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

% 15.10.2020

Crl. M.A. No. 14277/2020 (exemption)

Exemption allowed, subject to just exceptions.

Application stands disposed of.

Crl. M.A. No. 14276/2020 (for directions)

The applicant/respondent No. 2/mother seeks a direction to the petitioner/father to deposit the school fee of their son for the academic year April 2020-March 2021 inclusive of bus fare, meal charges and other miscellaneous expenses as raised by the J. M. International School, Sector-6, Dwarka, New Delhi.



2. Though in the application, there is also a prayer for the petitioner to provide other expenses towards winter uniform, books, special diet and other miscellaneous expenses for the son, since the amount towards such expenses has not been quantified, *at this stage*, that part of the prayer is kept pending.

3. Mr. L.S. Saini, learned counsel appearing for the applicant submits that though there are earlier orders directing the petitioner to pay the school fee and other miscellaneous school expenses as required for the son, which the petitioner had also agreed to pay, the required payments are not being made regularly. Mr. Saini therefore makes a grievance that each time the applicant has to file a fresh application before this court seeking the same relief.

4. Mr. R.P. Luthra, learned counsel appearing for the petitioner submits that the petitioner has agreed to pay the school fee and other costs and expenses relating to the son; and that on 14.10.2020 and 15.10.2020 a total amount of Rs. 56,000/- has already been credited to the school account. However, Mr. Luthra submits that the petitioner is unable to communicate with the school and does not receive the fee invoice from the school on a regular basis; and is therefore unable to pay the same regularly.

5. In view of the above, with the consent of counsel for both contesting parties, the Investigating Officer (I.O.) is directed to send a written communication to the Principal of the J. M. International School, Sector-6, Dwarka, New Delhi, instructing the school to send a copy of the fee invoice and any other bill in respect of Master Aryan Kapur to the petitioner's e-mail address; and the petitioner shall pay



and discharge such invoice/s regularly and punctually from time-to-time, without respondent No. 2 having to request or move an application for the purpose. The petitioners e-mail address will be furnished by Mr. Luthra to the I.O. and is not being indicated here since Mr. Luthra states that the petitioner does not want respondent No. 2 to know his e-mail address. The I.O. will further indicate in the communication to the school that the petitioner's e-mail address is not to be shared by the school with respondent No.2.

6. Insofar as the prayer for other expenses relating to the son are concerned, Mr. Luthra says that an arrangement is already in place, whereby a sum stands deposited in this court, from which deductions are made on a regular basis towards such expenses. However, Mr. Luthra seeks permission to file an affidavit setting-out the exact arrangement whereby such miscellaneous expenses for the son are taken care of.

7. Let the affidavit, as prayed, be filed within 04 weeks, with advance copy to the opposing counsel.

8. List for further consideration on 15th December 2020.

ANUP JAIRAM BHAMBHANI, J.

OCTOBER 15, 2020

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