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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.REV.P. 740/2018 & CRL.M.A. 30936/2018
SH. MUKESH GUPTA Petitioner
Through: Ms. Neena Malhotra, Advocate

versus

SMT. BHAWNA GUPTA & ANR. Respondents
Through: Mr.Himanshu Anand Gupta
(DHCLSC), Mr.N.S. Arora and
Mr. Ishwar Raj Chandra, Advs.
for R-1.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **26.02.2024**

1. This petition has been filed under Section 397(2) of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.'), challenging the Order dated 25.05.2018 passed by the learned Judge, Family Court, East District, Karkardooma Courts, Delhi (hereinafter referred to as the 'Family Court') in CC no. 28/2017 titled **Smt.Bhawna Gupta & Anr. v. Sh.Mukesh Gupta**.

2. This Court, by its order dated 29.08.2018, had passed the following *interim* directions:

"4. In the meantime, subject to petitioner's paying Rs. 7500/- from the date of the impugned order i.e. 25.05.2018, execution of the impugned order shall remain stayed."

3. The learned counsel for the respondents complains that even the maintenance at the *interim* rate decided by this Court vide the Order dated 29.08.2018, has not been cleared by the petitioner.



4. The learned counsel for the petitioner admits that approximately Rs.95,000/- would be due as arrears of maintenance to be paid to the respondents even as per the abovementioned order. This is disputed by the learned counsel for the respondents who, on the other hand, submits that the dues, as of today, would be more than Rs.2 lacs.

5. I am also informed that the matter is listed before the learned Family Court, on an execution petition filed by the respondents, on 04.03.2024.

6. The learned Family Court is requested to, on 04.03.2024, ascertain the dues that are payable by the petitioner to the respondents till date at the rate of Rs.7,500/- per month in terms of the *Interim* Order dated 29.08.2018.

7. In case any amount is found due and payable by the petitioner to the respondents, the same shall be paid by the petitioner to the respondent within a period of four weeks thereafter, failing which the *Interim* Order dated 29.08.2018 shall automatically stand vacated, without making any reference to this Court, and the learned Executing Court will proceed as if there is no *interim* order of this Court given in favour of the petitioner. The future maintenance at the rate of Rs. 7,500/- shall also be paid by the petitioner to the respondent on or before the 7th day of each month.

8. List for reporting compliance on 13th May, 2024 at 4.00 PM.

NAVIN CHAWLA, J

FEBRUARY 26, 2024/Arya/AS

[Click here to check corrigendum, if any](#)