

Kusum Thakur vs Surender Singh

Cr. MMO No.782 of 2019

01.05.2024

Present: Mr. Varun Chauhan, Advocate for the petitioner.

Mr. Madan Kumar, Advocate for the respondent.

Order dated 14.12.2023 not complied with by the parties to the instant petition.

At this stage, Mr. Varun Chauhan, Learned Counsel submits that the Learned Sessions Judge [Family Court Kangra] has adjudicated the petition under Section 125 Cr.P.C on 29.04.2019 [Annexure P-3], by awarding interim maintenance which is not in spirit of the judgment of the Hon'ble Supreme Court in Rajnesh versus Neha (2021) 2 SCC 324.

Accordingly, as prayed for by the parties jointly, let requisite affidavit of income in terms of aforesaid judgment be filed, before this Court within two weeks, where after, this Court will take a call for referring the matter back to the Learned Trial Court for adjudication on merits in terms of the aforesaid judgment.

May 1, 2024
(Chiranjeev)

(Ranjan Sharma)
Judge