

Ashwani Kumar vs. Ms. Garima & another

Cr. Revision (RC) No. 9 of 2025

09.10.2025

Present: Mr. Tarun Brakta, Advocate, vice Mr. Athrav Sharma ,
Advocate, for the appellant.

Mr. Mohit Jaitak, Advocate, through video
conferencing, for the respondent.

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Affidavit in terms of order dated 11.09.2025, on behalf
of respondent, is stated to have been filed on 07.10.2025. Be
taken on record after removal of objection, if any.

Last opportunity of three weeks is granted to file
details of assets and liabilities of the petitioner, failing which
adverse inference shall be drawn against the petitioner.

List for consideration on 27.11.2025

CMP No. 949 of 2025

Learned counsel for the respondent submits that vide
order dated 17.03.2025 impugned judgment dated 08.06.2023
awarding the maintenance to the respondents including minor
respondent No.2, was stayed in totality on the basis of
submissions made on behalf of petitioner that maintenance
awarded under other provisions of law was not taken into
consideration for awarding the maintenance in present matter
whereas till date no maintenance in favour of minor respondent
No.2 has been awarded in any other provision of law.

It is apt to record vide order dated 13.05.2025 passed
in this application interim protection was granted till next date i.e.
28.04.2025. Thereafter, application is pending for consideration
alongwith the main petition.

Considering the submissions made by learned counsel for the parties and perusal of the record, execution and operation of impugned judgment dated 08.06.2023 passed by Principal Judge, Family Court, Una H.P. in case No. 150 of 2019 is stayed during pendency of petition but subject to deposit of 50% amount of arrears of maintenance payable to the respondent in the Registry of this Court by 15th November, 2025 and also making future payment of maintenance with respect to respondent No.1 at the same rate on or before 7th day of each month for which maintenance shall be due and also payment/ deposit of entire arrears of the maintenance payable to the respondent No.2 as well as payment of future maintenance to respondent No.2 on or before 7th day of each month.

Alteration/vacation/modification on motion.

The application stands disposed of

(Vivek Singh Thakur)
Judge

(Romesh Verma)
Judge

October 9, 2025 (Nisha)