

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR**

**CM(6209/2025)
In CM(M) 407/2025
CM(6210/2025)
Caveat 2183/2025**

Syed Khalid Andrabi.

...Petitioner(s)

Through: M/s Danish Majid Dar & Ahra Syed, Advocates

Vs.

**Syed Shunain Andrabi (Minor)
through his Mother & Ors.**

...Respondent(s)

Through: Mr. Mohammad Ibrahim Meraj, Advocate.

CORAM:

HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE.

ORDER

22.09.2025

CM(6209/2025)

01. This application has been filed by the applicant/petitioner thereby seeking exemption from placing on record certified copies of the **Complaint** and orders dated **07.02.2025, 13.05.2025** and **02.07.2025** being questioned in the accompanying petition.

02. For the reasons as set out in the application, the same cannot be allowed and the applicant/petitioner is directed to place on record the certified copies of the complaint and orders dated **07.02.225, 13.05.2025** and **02.07.2025** with the present petition by or before next date of hearing.

03. CM is, accordingly, **disposed** of.

CM(M) 407/2025; CM(6210/2025): CAVEAT 2183/2025

04. The petitioner-Syed Khalid Andrabi is the father of respondent No. 1-Syed Shunain Andrabi who is minor son. The respondent No. 2-Zeenat Zeeshan Fazil is mother of the respondent No. 1.

05. In the context of order dated **13.05.2025** the court of learned Chief Judicial Magistrate, Srinagar, acting in the proceedings under section 12 of the Protection of Women from Domestic Violence Act, 2005, has come to grant monthly maintenance of **Rs. 8000/-** in favour of the respondent No. 1.

06. There is a confusion as to from which date the liability to pay said monthly maintenance amount of **Rs. 8000/-** is to start running i.e. from the date of order as is meant to be said by the Chief Judicial Magistrate, Srinagar in his order dated **13.05.2025** or with effect from the date of order dated **14.03.2023** when ex-parte ad interim maintenance order granting Rs. 8000/- each to the respondent No. 1 and 2 came to be passed which finally merged in order dated **13.05.2025**, the petitioner has been constrained to approach this

Court that in terms of order dated **13.05.2025** passed by the court of Chief Judicial Magistrate, Srinagar by reference to execution proceedings initiated for seeking recovery, an amount of **Rs. 3,91,000/-** is being levied against the petitioner for recovering which coercive measures through intended auction of the petitioner's immovable property have been resorted to in terms of an order dated **02.07.2025**.

07. Issue notice to the respondent No. 1 through the respondent No. 2.

08. On behalf of the respondent No. 1, Mohammad Ibrahim Meraj, learned Advocate accepts notice. Caveat stands ***discharged***.

09. Since the respondent No. 1 is minor, this Court calls upon the petitioner to deposit an amount of **Rs. 50,000/-** before the learned Registrar Judicial, Srinagar as litigation expenses for enabling the respondent No. 1 to defend the proceedings in the present case through his lawyer. The requisite amount of Rs. 50,000/- to be deposited within a period of two weeks before the learned Registrar Judicial, Srinagar, upon deposit of which, the same

to be paid to the respondent No. 2 for meeting litigation expenses in the context of present case.

10. In the meantime, no further proceedings in the execution relatable to orders dated **13.05.2025** and **02.07.2025** be carried forward subject to the condition that the petitioner will keep on paying the award amount of **Rs. 8000/-** per month without default before the court below meant for maintenance of the respondent No. 1.

11. The petitioner would also continue to keep on paying amount of **Rs. 18,000/-** of monthly maintenance which has been mandated upon the petitioner in terms of proceedings under Section 125 Cr.P.C., 1973 in favour of the respondent No. 1.

12. This court makes it clear that in the event of non-deposit of Rs. 50,000/- by the petitioner within the time given, the interim direction hereby given shall be deemed to have been recalled.

13. List this case along with **CM(M) 410/2025** on **25.10.2025**.

(RAHUL BHARTI)
JUDGE

SRINAGAR:
22.09.2025
"HAMID"