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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CRL.M.C. 226/2011

VIRENDER DHAWAN

..... Petitioner

Through: Mr. Bhupinder Mehtani, Advocate.

versus

AARTI DHAWAN & ANR

..... Respondent

Through: Mr.R.R.David, Advocate.

CORAM:

HON'BLE MR. JUSTICE M.L. MEHTA

ORDER

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28.11.2011

This is a petition under Section 482 CrPC read with Article 227 of the Constitution against the order dated 20.11.2010 of learned ASJ whereby the revision petition filed against the order dated 03rd June, 2010 of MM was dismissed.

The present petition has been filed by the petitioner mainly on the ground, alleging that the said revision filed against the order of M.M. was not decided by learned ASJ on merits as it was decided in terms of the judgment of this court in case Rajeev Preenja Vs. Sarika & Ors. Reported as II (2009) DMC 26. No other question has been raised in the present petition.

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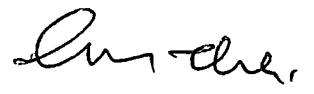
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The learned counsel appearing for the respondents states that a sum of Rs. 3.69 lakhs is outstanding from the petitioner. To this, it is stated by learned counsel by the petitioner that there is some mistake in the calculation as made out by the respondents in Para 4 of the application being Crl.M.A. 18433/2011 filed by the respondents. On this, both the counsels have made calculation which comes out to Rs. 2.89 lakhs as arrears.

I have perused the order of learned M.M. and the impugned order of learned ASJ. Admittedly, the petitioner has not paid the arrears of maintenance as above. In view of the decision of Rajeev Preenja Vs. Sarika & Ors. (supra), the revision was rightly dismissed by the court of learned ASJ vide the impugned order. Thus, I find no illegality or infirmity in the said order.

Petition is accordingly dismissed.


M.L. MEHTA, J

NOVEMBER 28, 2011
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