

Court No. - 89

Case :- APPLICATION U/S 482 No. - 33387 of 2023

Applicant :- Purushottam Chand Dwivedi

Opposite Party :- State of U.P. and Another

Counsel for Applicant :- Brijesh Kumar Mishra

Counsel for Opposite Party :- G.A.

Hon'ble Deepak Verma,J.

1. Heard learned counsel for the applicant and learned AGA for the State.

2.The present 482 Cr.P.C. application has been filed to quash the impugned order dated 17.08.2023 passed by Principal Judge, Family Court, Kushinagar at Padrauna in Misc. Case No.352 of 2021 (Gaurav vs. Purushottam), arising out of judgment and order dated 17.02.2021 passed by Additional Principal Judge, Family court, Kushinagar at Padrauna in Maintenance Case No.114 of 2020, under section 125 Cr.P.C., Police Station Kasia, Kushinagar.

3. Learned counsel for the applicant has challenged the order dated 17.08.2023 by which learned Family Court has started execution proceeding against the applicant. Learned counsel for the applicant submits that applicant has become major above 18 years and under section 125 Cr.P.C. he has no right to receive maintenance amount.

4. When query was made from learned counsel for the applicant whether any application has been moved by the applicant, no reply made on that question.

4. I do not find any illegality in the order dated 17.08.2023 passed by the Principal Judge, Family Court, Kushinagar at Padrauna. No interference is warranted. The present 482 application is **dismissed** with the aforesaid observation.

Order Date :- 3.11.2023

SKD