

Court No. - 93

Case :- APPLICATION U/S 482 No. - 43257 of 2023

Applicant :- Lokendra Kumar

Opposite Party :- State Of U.P. And 3 Others

Counsel for Applicant :- Rahul Yadav

Counsel for Opposite Party :- G.A.

Hon'ble Manoj Bajaj,J.

Applicant- Lokendra Kumar is aggrieved against the issuance of recovery warrants dated 31.01.2023, 01.08.2023 and 17.10.2023 issued against him for compliance of the order dated 12.01.2021, whereby under Section 125 Code of Criminal Procedure monthly maintenance of Rs.22,000/- was awarded to the respondent nos.2 &3.

Learned counsel for the applicant submits that the order granting maintenance in favour of respondent nos.2 & 3 is *ex parte* and the applicant being disabled is unable to make the payment, because as per salary certificate for the month of September, 2023 his monthly salary is approximately Rs.23,000/-.

During the course of hearing, it is fairly stated by the learned counsel for the applicant that his application bearing number 58 of 2022 seeking recall of the order granting maintenance to the respondent nos.2 & 3 is also pending for adjudication before the Family Court, which was filed on 15th March, 2022.

Considering the above background and without going into the merits of this case, at this stage, this Court deems it appropriate to direct the Family Court, Meerut to finally decide the application bearing number 58 of 2022.

With these observations, this application is disposed of.

Order Date :- 28.11.2023

Raj