



\$~90

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

CNR No. DLHC010399792026

+ **CRL.M.C. 6298/2026 & CRL.M.As. 26241-26243/2026**

NISHEETH KOHLI

.....Petitioner

Through: **Mr. Randhir Kumar & Ms. C. Chauhan, Advocates.**

versus

SONAL MALLIK AND ANR

.....Respondents

Through: **None.**

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

%

25.08.2026

1. By way of the present petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the petitioner assails an order dated 25.07.2026 passed in execution proceedings instituted by respondent No. 1, in respect of an interim maintenance order of the Mahila Court dated 01.11.2023 in proceedings under Protection of Women against Domestic Violence Act, 2005. By the impugned order, the petitioner's objection to execution were dismissed.

2. Mr. Randhir Kumar, learned counsel for the petitioner, submits that the aforesaid interim maintenance order dated 01.11.2023, alongwith subsequent orders dated 20.06.2024 and 23.10.2024, have been challenged before the Sessions Court. A copy of an order of the Sessions Court dated 26.07.2025, in the appeal has been filed with the present petition as Annexure - P15.

3. I am informed that the appeal before the Sessions Court remains



pending. However, it is clear from the order of the Sessions Court dated 26.07.2025, that the petitioner's request for stay of the proceedings before the Mahila Court, including the execution petition, was declined.

4. In these circumstances, Mr. Kumar does not press this petition at this stage, but submits that the amounts paid in execution of the interim maintenance order dated 01.11.2023 during the pendency of the appeal be subject to the result of the appeal, and that the petitioner be permitted to seek some time for payment of the arrears in installments.

5. As far as the first aspect is concerned, the Sessions Court may pass appropriate directions with regard to the same, at the appropriate stage. As far as payment of arrears in installments is concerned, the petitioner may approach the Mahila Court in the execution proceedings for necessary directions.

6. The petition, alongwith pending applications, is disposed of in terms of the above.

7. It is made clear that this Court has not made any observation on the merits of the case. As notice has not been issued to the respondents, all the rights and contentions of the parties before the Mahila Court/Sessions Court remain reserved.

PRATEEK JALAN, J

AUGUST 25, 2026

tg/MK/