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

+ **CRL.M.C.4652/2017 & CRL M.A. 18538/2017(STAY)**

Judgment reserved on: 29th November, 2017
Judgment pronounced on: 03rd January, 2018

ASHISH SINGH

....Petitioner

Through: Petitioner in person

versus

SMT PUSHPA SINGH & ORS.

...Respondents

Through: None.

CORAM:

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

1. By way of the present petition filed under Section 482 of Code of Criminal Procedure, 1973 (hereinafter after referred as 'Cr.P.C.') *the petitioner has assailed dismissing of the Execution Petition No. 17/2016* passed by learned Principal Judge, Karkardooma Courts, Delhi.
2. The petitioner had filed a similar petition/CRL.M.C. No. 2215 before this court seeking setting aside of the order dated 24.04.2017 passed by the learned Principal Judge, Family Courts, Karkardooma Court, Delhi, wherein the order was passed by this court on 05.09.2017. The petitioner is deriving the benefit of the typographical error which has crept in the said order in para No. 6, wherein it has been stated that “...wherein the Trial Court while dismissing the Execution petition held that the filing of the

*Execution Petition was not necessitated in view of the proposition of law.” instead of “**dismissing the objections to the Execution Petition**”.*

3. In the present scenario, the petitioner should have moved an application for modification/clarification of the order dated 05.09.2017, rather than filing a fresh petition/CRL.M.C 4652/2017 against the said order before this court, which is not maintainable as per law.
4. Hence, the petition along with pending application stands dismissed.

SANGITA DHINGRA SEHGAL, J

JANUARY 03, 2018//gr