

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

WRIT PETITION No.7758 of 2019

ORDER:

This writ petition is filed seeking the following relief:

“.....to pass an order, direction or a writ particularly in the nature of Writ of Mandamus declaring that the inaction on part of respondents Nos.3 and 4 in executing Non-Bailable Warrant against respondent No.5 issued by the learned Additional Family Court, Hyderabad at Nampally vide Dis.No.964, dated 11.09.2017 is highly illegal, arbitrary and amounts to dereliction of duties, consequently, this Honourable Court may be pleased to direct respondents Nos.3 and 4 to execute the Non-Bailable Warrant against respondent No.5 issued by the learned Additional Family Court, Hyderabad at Nampally vide Dis.No.964, dated 11.09.2017 and produce respondent No.5 before the Court and pass any other order or orders.”

Heard the learned counsel for the petitioners and the learned Government Pleader for Home for respondent Nos.1 to 4. Perused the record.

In the course of submissions, it has come to light that respondent No.5, father of the petitioners, is due an amount of Rs.6,60,000/- to the petitioners towards arrears of maintenance granted in their favour vide order dated 18.05.2016 in M.C.No.326 of 2015 on the file of the Additional Metropolitan Sessions Judge for trial of JHCBBC-cum-Additional Family Court-cum-XXIII Additional Chief Judge-cum-IX Additional Metropolitan Sessions Judge, Hyderabad. In spite of the information being furnished, the respondent-police concerned are not executing the non-bailable warrant issued by the said Court. Under these circumstances, the arrest and detention of respondent No.5 is necessary to realise the arrears of maintenance.

Therefore, respondent Nos.2 to 4 are directed to execute the non-bailable warrant pending against the 5th respondent as expeditiously as possible.

With the above observation, the Writ Petition is disposed of.

Miscellaneous petitions pending, if any, shall stand closed.

DR. SHAMEEM AKTHER, J

Date: 23.04.2019
ssp

