

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

WRIT PETITION No.9926 OF 2019

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed seeking to declare the action of respondent No.3 in not executing NBW issued against the respondent therein in CrI.M.P.No.1203 of 2018 in M.C.No.387 of 2015 on the file of Additional Metropolitan Sessions Judge for the Trial of Jubilee Hills Car Bomb Blast Case-cum-Additional Family Court, Hyderabad, as illegal, arbitrary against the principles of natural justice and violative of Articles 14 and 21 of the Constitution of India and consequently to direct respondent No.3 to execute the NBW.

2. Heard the learned counsel for the petitioner, the learned Assistant Government Pleader for Home appearing for the respondents and perused the record.

3. The grievance of the petitioner is that arrears of maintenance amount are due to her from her husband against whom NBW is pending.

4. There is no dispute with regard to the issuance of NBW against the respondent therein by the learned Additional Metropolitan Sessions Judge for the Trial of Jubilee Hills Car Bomb Blast Case-cum-Additional Family Court, Hyderabad in CrI.M.P.No.1203 of 2018 in M.C.No.387 of 2015 on 16.11.2018.

5. Since the maintenance order was passed on 27.4.2018 and arrears of maintenance are not yet realized, respondent No.3 is directed to execute the NBW pending against the respondent in CrI.M.P.No.1203 of 2018 in M.C.No.387 of 2015 on the file of Additional Metropolitan Sessions Judge for the Trial of Jubilee Hills Car Bomb Blast Case-cum-Additional Family Court, Hyderabad, as expeditiously as possible. The petitioner herein shall furnish the details of the whereabouts of her husband.

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

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed. There shall be no order as to costs.

Dr. SHAMEEM AKTHER, J

Date: 01.05.2019
ssp