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

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Judgment delivered on: 15.02.2019

+ CRL.REV.P. 371/2018 & CrI.M.A.8085/2018

VIVEK MOHINDRA

..... Petitioner

versus

RITU MOHINDRA

..... Respondent

Advocates who appeared in this case:

For the Petitioner : Mr.Kamran Malik and Mr.Syed Shakeel Hussain, Advocates.

For the Respondent: Mr. Ajay Digpaul, Adv.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner impugns order dated 12.03.2018 whereby the defence of the petitioner was struck off by the Trial Court for non-payment of the arrears.

2. On 01.05.2018 interim directions were issued whereby petitioner was directed to clear the entire arrears in terms of the schedule specified therein. Petitioner was directed to pay monthly amount of Rs.2 lakhs along with Rs.5 lakhs per quarter to clear the arrears.

3. It is an admitted position that petitioner since 01.05.2018 has been complying with the said order, though grievance is raised by

respondent that the payment of Rs.2 lakhs is not made in the beginning of the month but is made at the end of the month.

4. Learned counsel for the petitioner submits that he has instructions to state that petitioner shall abide by the order dated 01.05.2018 till the entire arrears are cleared and then shall pay the monthly amount of Rs.1,40,000/- as assessed by the Trial Court and shall pay the same on or before the 10th day of each calendar month.

5. Learned counsel for the parties agree that, subject to petitioner complying with the order dated 01.05.2018, the defence of the petitioner be restored and petitioner be given an opportunity to contest the petition filed by the respondent before the Trial court on merits.

6. In view of the above, on petitioner continuing to abide by order dated 01.05.2018 and continuing to pay Rs.2 lakhs per month and Rs.5 lakhs per quarter till the arrears are cleared and then continuing to pay interim maintenance of Rs.1,40,000/- per month on or before the 10th day of each calendar month, petitioner is permitted to defend the petition filed by the respondent before the Trial Court.

7. Petition is accordingly disposed of in the above terms.

8. Order *Dasti* under signatures of the Court Master.

SANJEEV SACHDEVA, J

FEBRUARY 15, 2019/rk