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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.REV.P. 764/2019 & CRL.M.A. 31615/2019, CRL.M.A. 31617/2019**

BHANU PRAKASH Petitioner

Through Mr S.C. Sharma, Advocate.

Versus

CHANDERPAL SINGH Respondent

Through Mr Vijay, Advocate.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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04.03.2020

1. The petitioner has filed the present petition impugning a judgment dated 10.05.2018, whereby the petitioner was directed to pay monthly maintenance of ₹10,000/- to the respondent from the date of filing of the said application by the respondent. In addition, the learned Principal Family Court had also directed the petitioner to pay litigation expenses of ₹11,000/- to the respondent.
2. At the outset, the learned counsel appearing for the respondent submits that the petitioner has concealed material facts that a criminal miscellaneous petition (Crl. M.C. No. 4952/2018 captioned '*Bhanu Prakash v. Chander Pal Singh*') had been preferred by the petitioner against the order impugned herein. The said petition was taken up for hearing on 27.09.2018 and after some arguments, the learned counsel who appeared for the petitioner had, on instructions, withdrawn the said petition with liberty to

approach an appropriate forum under the Family Courts Act, 1984.

3. He also submits that the petitioner had filed another revision petition (CRL. Rev. P. No. 693/2018) and that petition was also withdrawn on 14.08.2018.

4. The petitioner had also filed a petition before the Division Bench of this Court (MAT. APP. (F.C.) 266/2018) which was also dismissed by the Division Bench of this Court, holding that the same was not maintainable.

5. The learned counsel appearing for the petitioner submits that the present petition has been filed pursuant to the order dated 25.03.2019 passed by the Division Bench in MAT. APP. (F.C.) 266/2018, observing that in case a criminal revision petition is filed, the same shall be entertained by the single Judge.

6. A plain reading of the said order indicates that before the Division Bench, it was contended on behalf of the petitioner that the petitioner had filed a criminal revision petition against an interim order and that petition had not been entertained by a single Judge of this Court. The learned counsel for the petitioner submits that the petitioner had duly disclosed that he had filed the aforesaid petition (bearing Crl. Rev. P. No. 693/2018 captioned '*Bhanu Prakash v. Chander Pal Singh*'); however, he does not dispute that the said petition was filed impugning the order dated 10.05.2018 (which is impugned in the present petition) and the same is a final order. Thus, it is apparent that before the Division Bench it was contended that the petitioner had preferred a criminal revision petition against an interim order (and not a final order), which was dismissed. Since, it is not disputed that the order impugned herein is a final order, it is apparent that the contentions advanced before the Division Bench were incorrect.

7. It is also seen that the petitions filed by the petitioner have not been placed before this Court. The petitioner has also not disclosed the fact that he had filed the same in his pleadings. Considering the above, this Court finds no reason to entertain the present petition.

8. The same is dismissed. All pending applications are also dismissed.

VIBHU BAKHRU, J

MARCH 04, 2020

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