

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(227) No.368 of 2021

- Dilip Sharma S/o Late Shri Ram Lochan Sharma Aged About 52 Years
R/o Flat No. 202, Chaman Heights, Chadda Badi, Nehru Nagar, Bilaspur
P. S. Civil Line, District Bilaspur Chhattisgarh

----Applicant

Versus

1. Swati Sharma D/o Shri Dilip Sharma Aged About 21 Years
2. Shashank Sharma S/o Dilip Sharma Aged About 16 Years Respondent
No. 2, Minor Through Natural Guardian Mother Madhulika Sharma,
(both are r/o H. No. HIG 1/128, Sector-1, Deen Dayal Upadhyay Nagar,
Police Station Deen Dayal Upadhyay Nagar, Raipur, Tehsil And District
Raipur Chhattisgarh)

----Non-applicants

For Applicant : Mr. Ravindra Sharma, Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

05-08-2021

Heard.

1. This petition has been brought praying for issuance of direction to the learned Execution Court.
2. It is submitted that the petitioner is respondent in the Execution Case registered as M.J.C. No.558/2018. The petitioner has complied with the orders of the Family Court and made payment of the maintenance time to time. However, it appears that there is some dispute regarding arrears of maintenance amount regarding which the respondents and the petitioner have different claims. The learned Family Court has not resolved this dispute and given a finding as to what is the actual amount of arrears of maintenance which is required to be paid by the petitioner, Hence, on this basis, direction is sought.

3. After hearing on the submissions, the petition is disposed off at the motion stage. The learned Family Court is directed to ascertain and determine the arrears of maintenance, which is present till date after giving opportunity of hearing to both the parties.
4. It is also directed that the application filed by the petitioner under Section 127 of Cr.P.C. be decided expeditiously.
5. Accordingly, the petition stands disposed off.

Sd/-

(Rajendra Chandra Singh Samant)

Judge

Monika