

118 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-49595-2021

Date of Decision: 29.11.2021

BISHAMBER

... PETITIONER

VS.

STATE OF HARYANA AND ANOTHER

.. RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr.Ajit Kumar Shrama, Advocate, for the petitioner.

Mr. Zorawar Singh Chauhan, Deputy Advocate General, Haryana.

VIVEK PURI, J.(ORAL)

The petitioner has assailed the order dated 19.10.2021 vide which his warrants of arrest have been issued in the execution petition for enforcing the order of maintenance.

Learned counsel for the petitioner contends that the maintenance has been awarded @ Rs.3,000/- per month and the outstanding amount in the execution petition is Rs.36,000/-. He further contends that in the earlier execution petition, the conditional warrants of arrest were issued, the matter came up before this Court, wherein the matter was referred for mediation and stay of operation of conditional warrants of arrest was granted on payment of Rs.10,000/- as part payment towards arrears of maintenance. It has been further stated that a sum of Rs.10,000/- has already been paid to respondent No.2 and mediation proceedings could not proceed further on account of Covid-19 Pandemic.

Learned counsel for the petitioner further asserts that the petitioner shall pay a sum of Rs.20,000/- on 01.12.2021 to respondent No.2 on the date fixed in the Court below and the balance amount in the present execution petition shall be paid within a period of two months.

As such, the present petition is disposed of with the observation that the petitioner shall pay a sum of Rs.20,000/- to respondent no.2 on 01.12.2021, the date already fixed in the Court below and the remaining balance amount in the execution petition within a period of two months.

In these circumstances, the warrants of arrest issued against the petitioner shall remain in abeyance. It is, however, made clear that in the event the payment is not made by the petitioner, as stated here-in-above, the learned Executing Court shall be at liberty to proceed against the petitioner, in accordance with law.

The petition is, accordingly, disposed of.

29.11.2021

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(VIVEK PURI)**JUDGE**

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No