

2. Both the parties are present in Court. The undertaking executed by respondent No.2 has been presented in Court. The undertaking stipulates that respondent No.2 would make

the payment of arrears. There was dispute about the quantum of arrears which is also taken care of by respondent No.2. The schedule of payment has been annexed to the undertaking. The undertaking is taken on record and marked 'X' for identification.

3. Learned Advocate for respondent No.2 on instructions from respondent No.2 who is present in Court submitted that the payment stipulated in annexure-B to undertaking would be made before end of respective months. Statement is accepted.

4. Learned advocate for respondent No.2 submits that on account of non-payment of arrears learned Metropolitan Magistrate 66th Court, Andheri, Mumbai has issued non-bailable warrant/arrest warrant in Execution Application No. 228 of 2020. Learned advocate for the applicant/petitioner submitted that in view of undertaking non-bailable warrant/arrest warrant issued in execution proceedings may be kept in abeyance. It is also pointed out that both the parties have preferred appeals which are pending before the Sessions Court at Dindoshi, Mumbai. The parents of respondent No.2 has preferred appeal which is also

pending before the Sessions Court at Dindoshi, Mumbai. It is requested that hearing of those appeals may be expedited.

5. Considering the aforesaid facts and circumstances, I pass the following order:-

ORDER

- (i) Undertaking dated 30.08.2022 tendered by respondent No.2 is taken on record.
- (ii) The respondent No.2 shall comply the undertaking.
- (iii) Non-bailable warrant/arrest warrant issued by learned Metropolitan Magistrate, 66th Court, Andheri, Mumbai in Execution Proceeding No. 228 of 2020 shall be kept in abeyance till further orders.
- (iv) Criminal Appeals filed by respective parties pending before the Sessions Court at Dindoshi in respective Court rooms are expedited.
- (v) The concerned Court is requested to make an endeavour to decide the appeals within a period of six months from the date of receipt of this order.
- (vi) Interim Application stands disposed of.

(PRAKASH D. NAIK, J.)