



WEB COPY



C.M.P.No.2292 of 2023

in

C.M.A.No.2273 of 2022

R.SUBRAMANIAN, J.

and

K.GOVINDARAJAN THILAKAVADI, J.

This petition is filed seeking to enlarge the time granted vide order dated 13.10.2022, requiring the appellant / petitioner to pay the interim maintenance at Rs.1,00,000/- per month on or before 7th of every month as a condition for grant of stay of the order of the Trial Court. The said order was being complied with by the appellant / petitioner.

2.However, for the month of December, 2022 instead of paying the monthly maintenance as directed by this Court before 7th, the payment was made on 9th of December, 2022. This led to the respondent filing a memo before the executing Court, seeking execution of the order of maintenance granted by the Trial Court, since the interim stay stood vacated due to non-compliance.

3.The reason assigned by the petitioner for not paying the maintenance within the period assigned is that he was under the pressure of work and therefore he has not complied with the orders.



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4.Considering the fact that he has complied with the order within two days after the expiry of the time that was fixed by this Court, we do not think that he should be penalized by ordering vacation of stay. We therefore, allow this petition and the time for payment of interim maintenance for the month of December, payable on or before 07.12.2022 is extended upto 10.12.2022.

(R.S.M., J.) (K.G.T., J.)
20.02.2023

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