

CR-7760-2018 (O&M)

235 (1st case)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CR-7760-2018 (O&M)

Date of decision: May 11, 2023

Subroto Dhar

....Petitioner

versus

Neha Adil

....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN MONGA**Present:-** Mr. Vinay Pandey, Advocate for the petitioner.Respondent in person with
Mr. Gurinder Pal Singh, Advocate for the respondent.

ARUN MONGA, J. (ORAL)

Petition herein *inter alia* is for setting aside impugned order dated 04.09.2018 passed by learned Principal District Judge, Family Court, Gurgaon whereby petitioner was directed to pay maintenance to the tune of Rs.50,000/- per month from the date of application under Section 125 Cr. P.C. to minor child under Section 24 of the Hindu Marriage Act, 1955.

2. At the outset, learned counsel for petitioner states that per his instructions, during pendency of present proceedings, divorce petition bearing HMA/553/2016 filed by petitioner has finally been decided by learned Family Court vide judgment/ decree dated 18.04.2019. He further states that in view thereof, he is under instructions not to press the instant petition.

3. In the premise, present petition is disposed of as not pressed.

4. Vide order dated 16.11.2018, when notice of motion was issued, litigation expenses of Rs.20,000/- were directed to be paid by petitioner/husband to respondent/wife, pursuant whereunto petitioner had furnished a demand draft of

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Rs.20,000/- with the Registry of this Court which by sheer oversight remained with it and during the interregnum, its validity has lapsed.

5. On a Court query, respondent/wife who is present in Court, informs that petitioner has told her that in case she returns stale demand draft, he will make arrangement for fresh demand draft and hand over the same to her.

6. Be that as it may, Registry to hand over said demand draft to respondent/wife upon her approaching the Registry. In case, petitioner does not give a fresh demand draft amounting to Rs.20,000/- to respondent/wife, she is at liberty to approach the Court by way of filing appropriate application.

7. Pending application(s), if any, shall also stand disposed of.

(ARUN MONGA)
JUDGE

May 11, 2023
mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No