

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

114

CRR(F)-498-2023

Date of Decision : 28.04.2023

Rajbir

..... Petitioner

Versus

Palvi

..... Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr.Aditya Gautam, Advocate and
Mr. Vinay Yadav, Advocate
for the petitioner.

JAGMOHAN BANSAL, J. (Oral)

The petitioner through instant petition is seeking setting aside of order dated 22.03.2022 whereby Additional Principal Judge, Family Court, Ambala, has granted interim maintenance of Rs. 6,000/-.

This is second round of litigation. The petitioner, on the earlier occasion, filed CRR(F) No.281 of 2020 assailing *exparte* order dated 27.04.2019 whereby maintenance allowance in terms of Section 125 Cr.P.C. was granted. This Court vide order dated 17.02.2023 with the consent of both sides disposed of aforesaid revision petition with following directions :

“(i) The Family Court shall decide question of maintenance afresh within three months from the date of appearance of parties, in terms of this order;

(ii) The petitioner herein shall not seek adjournment on any ground and if he seeks adjournment, the trial court would be free to

proceed ex parte or impose costs;

(iii)The petitioner on re-determination of amount of maintenance shall clear all the outstanding dues within six months without claiming benefit of custody which he has already undergone;

(iv)The trial court shall consider arguments of both sides without being influenced by order passed by this Court.”

The parties in terms of order dated 17.02.2023 of this Court appeared before Family Court and order dated 22.03.2023 came to be passed granting interim maintenance. The order has been passed without affidavit of assets and liabilities of both sides.

Mr.Rakesh Gupta, Advocate has filed his power of attorney on behalf of the respondent, which is taken on record.

Learned counsel for both sides submit that their affidavits of assets and liabilities are ready and would be filed on or before 04.05.2023. The next date before Family Court is 05.05.2023.

Learned counsel for the petitioner undertakes to comply with directions issued vide order dated 17.02.2023 by this Court in CRR(F) No.281 of 2020.

In view of statements of both sides, the parties are directed to file their affidavits of assets and liabilities on or before 04.05.2023 before Family Court and address the arguments on 05.05.2023 or as directed by Family Court. It is made clear that if parties do not file their affidavits of assets and liabilities, the Family Court would be free to pass fresh order. The petitioner shall comply with directions issued by this Court vide order dated 07.02.2023 in CRR(F) No.281 of 2020.

Disposed of in above terms.

(JAGMOHAN BANSAL)
JUDGE

28.04.2023
anju

Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>