

2024:PHHC:041180

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
131**

CR-1649-2024

Date of decision: 21.03.2024

GEETA GOEL

.....PETITIONER

Versus

AMIT GOEL

.....RESPONDENTS

CORAM: HON'BLE MRS. JUSTICE RITU TAGORE

Present: Ms. Rahi Mehra, Advocate,
for the petitioner.

RITU TAGORE, J. (ORAL)

Prayer in this revision petition is for issuance of directions to the Executing Court to decide the execution applications/petitions titled as Geeta Goel vs. Dr. Amit Goel, bearing no. Exe 97 of 2023, 693 of 2023 and Exe 19 of 2024, pending in the Court of Principal Judge, Family Court, Amritsar, for execution of the order dated 22.12.2022 passed in an application filed under Section 24 of the Hindu Marriage Act, 1955 (hereinafter referred to as the 'HMA'), in a petition pending under Section 13 of the Hindu Marriage Act, 1955 in a time bound manner.

Considering the limited scope of prayer, issuance of notice to the respondent is dispensed with.

Heard. Paper-book perused with the assistance of the learned counsel for the petitioner.

Learned counsel for the petitioner submits that the respondent has filed a petition under Section 13 of HMA. The petitioner filed an application under Section 24 HMA in the aforesaid petition, that application

was allowed vide order dated 22.12.2022 (Annexure P-1).

Learned counsel states that despite intermittent payment of maintenance, still Rs. 3 lacs arrears of maintenance is pending against the respondent. The petitioner moved applications (Annexures P-2 to P-4) before the learned Family Court for enforcement of order dated 22.12.2022 and also referred to zimni orders pertaining to Exe 97 of 2023 and Exe 693 of 2023. The learned counsel contends that notices of Exe 97 of 2023 and Exe 693 of 2023 of the aforesaid application(s) were given to the respondent, who received the same on 29.03.2023 and 14.12.2023 respectively. It is stated that despite the same, the respondent has not cleared entire arrears of maintenance and execution applications are still pending, adjudication. Learned counsel submits that the learned Executing Court be directed to decide the applications as per the directions of Hon'ble the Supreme Court passed in a case **Rahul S. Shah vs. Jinendra Kumar Gandhi and others**, 2021 (2) RCR (Civil) 854.

Present petition is disposed of with a direction to the learned Principal Judge, Family Court, Amritsar, to decide the applications in the light of directions given in the case of **Rahul S. Shah (supra)**.

Pending applications, if any, stand disposed of accordingly.

March 21, 2024

pj

**(RITU TAGORE)
JUDGE**

Whether speaking/reasoned: *Yes/No*

Whether reportable: *Yes/No*