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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.REV.P. 63/2020**

ASHISH CHADHA

..... Petitioner

Through: Mr. Praveen Kumar and Mr. Dilip
Gupta, Advocates.

versus

**MASTER AARAV CHADHA (MINOR) THR. HIS NATURAL
GUARDIAN (MOTHER) NEXT FRIEND NOMIT CHADHA**

..... Respondent

Through: Dr. Shambhuji, Advocate.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

14.02.2024

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1. The present petition under Sections 397/401 of the CrPC seeks the following prayers:

“IN THE PREMISES STATED HEREIN ABOVE THE PETITIONER ABOVE NAMED MOST RESPECTFULLY PRAYS THAT THIS HON'BLE COURT MAY BE PLEASED TO:

- a) Set aside / modify the order dated 16.11.2019 passed by Sh. M.C. Gupta, Ld, Judge, Family court, Rohini, Delhi in Mt. No. 57314/16 titled as "Master Aarav Chadha (minor) through his natural guardian (mother) / next friend Smt. Nomita Chadha vs. Sh. Ashish chadha" in the interest of justice or;
- b) Reduce the per month interim maintenance of Rs 25,000/- to any other amount as deemed fit and proper by the Honb'le Court.
- c) Call for and peruse the record pertaining to M.T. No. 57314/16 titled as "Master Aarav Chadha (minor) through his natural guardian (mother) / next friend Smt. Nomita Chadha vs. Sh. Ashish Chadha pending before Sh. Deepak Garg, Ld, Judge, Family Court, Rohini, Delhi.
- d) Any other order or order(s) which this hon'ble court may deem fit and proper in the circumstances may also be awarded in favor of the Petitioner.”



2. *Vide* the impugned order, the petitioner was directed to pay Rs. 25,000/- per month to the minor child namely, Master Aarav Chadha, through his natural guardian, i.e., his mother/respondent herein, as interim maintenance from the date of filing of the petition, i.e, 02.01.2017 till its final disposal. The said maintenance was to be paid to the minor child by the 10th day of each calendar month.
3. *Vide* order dated 22.01.2020, the learned predecessor bench of this Court has stayed the impugned order, subject to the petitioner paying a sum of Rs. 20,000/- per month as interim maintenance to the minor child, by or before the 10th day of every calendar month.
4. Learned counsel for the petitioner, on instructions, submits that so far as the aforesaid sum of Rs. 20,000/- is concerned, there are no arrears. Learned counsel for the respondent confirms the same.
5. Learned counsel for the petitioner submits that the proceedings before the learned Trial Court are pending at the stage of evidence.
6. In view of the above, learned counsel for the parties submit that the interim arrangement as directed by this Court *vide* order dated 22.01.2022 may be continued till the disposal of the case pending before the learned Trial Court. It is also prayed that the learned Trial Court may be directed to expedite the proceedings and in case the matter is not disposed of within 06 months, the respondent may be granted the liberty to move a fresh application for enhancement of interim maintenance, if so advised, on the basis of documents.
7. Directed accordingly.
8. The present petition is disposed of with the above directions.
9. Pending applications, if any, also stand disposed of.



10. Order be communicated to the learned Trial Court for necessary information and compliance.

AMIT SHARMA, J

FEBRUARY 14, 2024