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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 778/2024**
SMT RAVINDER KAUR AND ANR Petitioners
Through: **Ms.Swati Rathi, Adv.**

versus

THE STATE OF NCT OF DELHI & ANR Respondents
Through: **Mr.Yasir Rauf Ansari, ASC**
(Criminal) with **Mr.Alok**
Sharma, Mr.Vasu Agarwal,
Advs.
Insp. Vish Ram.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **06.03.2024**
CRL.M.A. 7282/2024(exemption)

1. Allowed, subject to all just exceptions.

W.P.(CRL) 778/2024 & Crl.M.A. 7283/2024

2. This petition has been filed praying for a direction to the learned Family Court-01 (West), Tis Hazari Courts, Delhi to expedite the adjudication of the Execution Petitions, that is, Ex. Pet. Nos. 40/2022 and 194/2023 filed by the petitioners pending adjudication before the said Court, and to ensure compliance of the order dated 04.10.2019 passed by the learned Family Court in Mt. Case no.1256/2018, titled ***Ravinder Kaur & Anr. v. Swarandeep Singh***, determining the *interim* maintenance payable by the respondent no.2 herein to the petitioners.
3. Issue notice.



4. Notice is accepted by Mr.Yasir Rauf Ansari, learned ASC on behalf of the respondent no.1.
5. For the limited relief that is being prayed for and is being granted in the present case, I do not deem it necessary to serve the respondent no.2 with the notice of this petition.
6. As has been contended by the learned counsel for the petitioners, the *interim* maintenance had been fixed by the learned Family Court to be paid by the respondent no.2 to the petitioners vide order dated 04.10.2019, the petitioners complain that the respondent no.2 has not paid any amount, and arrears of more than Rs.7 lacs are due and payable. It is further complained that the respondent no.2 is taking repeated adjournments in the above mentioned Execution Petitions.
7. Without commenting on the merits of the averments made in the petition, it need not be reemphasised that the *interim* maintenance that is determined by the Court, must be strictly enforced by the Court and effort should be made to ensure that the same is not delayed. Reliance in this regard is placed on the Judgment of the Supreme Court in ***Rajnish v. Neha & Ors.***, (2021) 2 SCC 324, wherein the Supreme Court observed as under:-

“114. Enforcement of the order of maintenance is the most challenging issue, which is encountered by the applicants. If maintenance is not paid in a timely manner, it defeats the very object of the social welfare legislation. Execution petitions usually remain pending for months, if not years, which completely nullifies the object of the law. The Bombay High Court in Sushila Viresh Chhadva v. Viresh Nagshi Chhadva [Sushila



*Viresh Chhadva v. Viresh Nagshi Chhadva,
1995 SCC OnLine Bom 315 : (SCC OnLine
Bom para 7)*

*“7. ... The direction of interim alimony
and expenses of litigation under Section 24 is
one of urgency and it must be decided as soon
as it is raised and ... the law takes care that
nobody is disabled from prosecuting or
defending the matrimonial case by starvation
or lack of funds.”*

8. In view of the above, the present petition is disposed of, requesting the learned Family Court to expedite the adjudication of the Execution Petitions and strictly decline any unwarranted requests for adjournments made by the respondent no.2. Effort should be made to ensure that maintenance, if any, due and payable in terms of the order dated 04.10.2019, is expeditiously paid by the respondent no.2 to the petitioners.
9. The petition is disposed of in the above terms. The pending application is also disposed of.

NAVIN CHAWLA, J

**MARCH 6, 2024
RN/RP**

[Click here to check corrigendum, if any](#)