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

+ **CRL.M.C. 1160/2019 & CRL.M.A. 4508/2019**

V.D. BHANOT Petitioner
Through: Mr. N. S. Dalal, Mr. Alok
Kumar, Ms. Rachana
Dalal, Ms. Sweta Kadyan
and Mr. Vishvender, Advs.
versus

SAVITA BHANOT Respondent
Through: Dr. A. K. Bakshi and Mr.
Balraj Anand, Advs.

+ **CRL.M.C. 1161/2019 & CRL.M.A. 4511/2019**

SHRI V.D. BHANOT Petitioner
Through: Mr. N. S. Dalal, Mr. Alok
Kumar, Ms. Rachana
Dalal, Ms. Sweta Kadyan
and Mr. Vishvender, Advs.
versus

MS. SAVITA BHANOT Respondent
Through: Dr. A. K. Bakshi and Mr.
Balraj Anand, Advs.

+ **CRL.REV.P. 734/2019 & CRL.M.A. 30824/2019,**
CRL.M.A. 1978/2023

SMT. SAVITA BHANOT Petitioner
Through: Dr. A. K. Bakshi and Mr.
Balraj Anand, Advs.
versus

V.D. BHANOT Respondent
Through: Mr. N. S. Dalal, Mr. Alok
Kumar, Ms. Rachana
Dalal, Ms. Sweta Kadyan
and Mr. Vishvender, Advs.



CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER
10.04.2024

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1. The present petitions are filed being aggrieved by the common order dated 05.01.2019, passed by the learned Additional Sessions Judge ('ASJ') in Crl. Appeal Nos.85/2018, 86/2018 and 87/2018 (hereafter '**the impugned order**').
2. By the impugned order the learned ASJ dismissed the Crl Appeal No. 86/2018 seeking enhancement of the interim maintenance amount, that is ₹10,000/- per month, granted by the HMA Court *vide* order dated 20.03.2008, and partly allowed the Crl Appeal Nos. 85/2018 and 87/2018 with respect to the date from which the husband was liable to pay the interim maintenance and the amount for rent for alternate accommodation, and directed the husband to pay the said amount from the 01.01.2016, that is the date from which 7th pay commission was made applicable, to Savita Bhanot / wife.
3. It is not denied that the proceedings before the learned Trial Court are at the fag end. The parties have commenced the final arguments and the matter is now listed on 18.04.2024 and 19.04.2024 for the remaining arguments.
4. The present proceedings were filed way back in the year 2019.
5. This Court by order dated 27.02.2019, had stayed the operation of the impugned order passed by the learned ASJ, subject to the husband / V.D. Bhanot continue paying interim maintenance as directed by the learned Trial Court.
6. The learned counsel for the parties agree that the present petitions can be disposed of with the direction to the learned Trial



Court to conclude the proceedings expeditiously.

7. The learned counsel for the Savita Bhanot / wife, also agrees that the respondent will not file any petition for execution of the interim maintenance, as awarded by the learned ASJ, till the final order is passed by the by the learned Trial court in the maintenance petition.

8. The interim orders passed by the Courts are in aid of the final orders, which finally merge with the final orders passed by the Courts.

9. In view of the above, this Court does not consider it apposite to adjudicate the present proceedings.

10. The learned Trial Court is also requested to conclude the proceedings as expeditiously as possible and pass the final order being uninfluenced by the findings that may have been given by the learned Trial Court or the learned Appellate Court, while deciding the interim maintenance amount.

11. All interim orders passed by this Court are vacated with a direction to the learned Trial Court to dispose of the matter expeditiously and preferably within a period of eight weeks from date. Any amount that may have been paid by the petitioner to the respondent in terms of the order granting interim maintenance, would be adjusted with the final maintenance that may be awarded by the learned Trial Court.

12. It is also clarified that in case the petitioner/husband succeeds and the learned Trial Court reaches the conclusion that the respondent/wife is not entitled for any maintenance, the petitioner would be entitled for recovery of the amount already paid to the respondent.

13. It is made clear that this Court has not expressed any opinion on the merits of the case. All rights and contentions of



the parties are reserved.

14. The petitions are disposed of in aforementioned terms.
15. Let the copy of this order be placed in all the matters.

AMIT MAHAJAN, J

APRIL 10, 2024/ 'KDK'