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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 2691/2024**

RAKESH KUMAR SANWARIYA Petitioner
Through: Mr. Abhay Gupta, Adv.

versus

GUDDI Respondent
Through: None.

CORAM:
HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER
28.05.2024

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CM APPL. 32699/2024—Exp.

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

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3. The present petition under Article 227 of the Constitution of India has been filed to impugn the orders dated 12.04.2024 and 14.05.2024 passed by learned Judge, Family Court-02, West District, Tis Hazari Courts, Delhi in Ex. 108/2018 titled as “Guddi vs. Rakesh Kumar Sanwaria”.
4. Learned counsel for the petitioner submits that petitioner herein had filed a divorce petition, which came to be decided by the learned Judge, Family Court on 04.05.2013, which has attained finality, however, during the pendency of the divorce petition, maintenance was awarded in favour of respondent and three children @ Rs. 10,000/- per month. In pursuance to same as there were orders with respect to payment of maintenance, the respondent has filed six execution petitions, which are pending.
5. Learned counsel for petitioner further submits that consolidated order



was passed on 12.04.2024 with respect to all execution petitions thereby directing the petitioner to deposit Rs. 1,00,000/- within 30 days failing which respondent was given liberty to file an application for issuance of Non-Bailable Warrants (NBWs) against the petitioner, which is now listed for 26.07.2024.

6. Learned counsel submits that on 10.05.2024, the petitioner moved an application seeking extension of time to deposit Rs. 1,00,000/- before learned Judge, Family Court, however, vide impugned order dated 14.05.2024, the same was declined by learned Judge, Family Court and NBWs have been issued against the petitioner.

7. Learned counsel for the petitioner submits that the correct amount of arrears has not been mentioned before learned Trial Court as according to the admission of respondent, she has already received maintenance of Rs. 4,12,000/-.

8. However, learned counsel is unable to clarify the period for which the said maintenance has been received by the respondent.

9. Learned counsel further submits that he is willing to deposit Rs. 50,000/- within one month and subject to that, impugned orders dated 12.04.2024 and 14.05.2024 be stayed.

10. Subject to deposit of Rs. 1,00,000/- within 30 days from today, impugned orders dated 12.04.2024 and 14.05.2024 is stayed.

11. Petition stands disposed of accordingly.

SHALINDER KAUR, J.

MAY 28, 2024/ss