



**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

Sr. No.110

CRR(F)-85-2025(O&M)

Date of decision : 21.01.2025

ANIL KUMAR

..... Petitioner

VERSUS

STATE OF PUNJAB AND ANOTHER

..... Respondents

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Laxman Choudhary, Advocate and
Mr. Manjeet Singh Kajla, Advocate for the petitioner.

Mr. Davinder Bir Singh, Sr. DAG, Punjab.

KIRTI SINGH, J. (Oral)

The present revision petition has been filed for setting aside the impugned order dated 12.12.2024 passed by learned Principal Judge, Family Court, Hoshiarpur, Camp Court at Mukerian.

2. Learned counsel for the petitioner submits that respondent No. 2 filed a petition seeking maintenance under Section 125 of Cr.P.C. before the learned Court of JMIC, Mukerian, on 01.11.2018. Due to non appearance of the petitioner, learned Court passed an *ex parte* order dated 21.07.2022 awarding Rs.6000/- per month as maintenance in favor of respondent No.2. He further submits that the petitioner became aware of the case only when a conditional warrant was executed on 13.03.2024, pursuant to which he immediately filed an application dated 04.04.2024 (Annexure P-3) to set aside the *ex parte* order. Subsequently, the hearing of the application was adjourned multiple times for filing a reply. Further, respondent No.2 has filed execution proceeding against the petitioner which



is pending and the petitioner is suffering due to delay on part of learned Court in deciding the aforesaid application.

- 3. Heard.
- 4. In view of the submissions made by learned counsel for the petitioner, the order dated 12.12.2024 passed by the Learned Principal Judge, Family Court, Hoshiarpur, Camp at Mukerian, is hereby set aside. Learned Court is hereby directed to decide the pending application for setting aside the *ex parte* order, within a period of four weeks.
- 5. The execution proceedings shall remain stayed until the pendency of the proceedings before the learned Principal Judge, Family Court, Hoshiarpur, Camp Court at Mukerian.
- 6. The petition is disposed of in the above terms.
- 7. Pending application(s), if any, shall also be disposed of accordingly.

(KIRTI SINGH)
JUDGE

21.01.2025
Kavita

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No