



2025:DHC:7697



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

% ***Date of decision: 26th August, 2025***

+ **CRL.REV.P.(MAT.) 292/2025 & CRL.M.A. 18611/2025**

VIDHU P NAIR

S/o Late LSP Nair

R/o House No.87,

Paraiso Real Condominium,

Talatona, Luanda, Angola.

.....Petitioner

Through: Mr. Tom Joseph, Dr. Linto KB,
Ms. Anugraha Sabu and Ms. Arya
Krishnan, Advocates

versus

ADVAITH NAIR

S/o Vidhur P Nair

R/o Plot No.81, Lagerstromia Estate, Chi-4,

Greater Noida, U.P.

.....Respondent

Through: Ms. Seema Seth, Advocate

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

J U D G M E N T (oral)

1. Revision Petition under Section 438 of Bhartiya Nagarik Suraksha Sanhita (BNSS), 2023 has been filed on behalf of the Petitioner to challenge the **Order dated 28.05.2025** of learned Judge, Family Court in Ex.No.08/2025 in MT. C. No.55/2020, whereby the Execution Petition for recovery of Rs.50,000/- per month by the Decree Holder (*the Respondent*) in terms of Interim Order dated **05.11.2024**, has been held maintainable.
2. The *Petitioner/Vidhu P. Nair* had a son i.e. the Respondent/Advaith



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Nair from his first marriage. The Petitioner got remarried after about 1½ years of demise of his wife, which did not go well with the parents of his deceased wife (maternal grandparents of Respondent-Son), who started making various complaints against the Petitioner, hampering his foreign assignments and career progression.

3. The Respondent-Son filed a Petition under **Section 125 of the Code of Criminal Procedure, 1973** (hereinafter referred to as “Cr.P.C”) for grant of Maintenance. He was granted Interim Maintenance in the sum of Rs.50,000/- from the date of Application till 29.01.2022 i.e. the date of his majority, vide Order dated 29.07.2022 by the learned Family Court, Patiala House, New Delhi.

4. **Criminal Revision Petition No. 855/2022** was filed by the Respondent-Son to challenge the Interim Maintenance Order dated 29.07.2022. This Court vide **Order 05.11.2024** modified the interim maintenance Order to the extent that Rs.50,000/- was directed to be continued to be paid from the date of Application till he attains the age of majority, to ensure that he has some money for sustenance. This Revision Petition challenging the Interim Maintenance, was finally dismissed on 06.02.2025, implying thereby that the Interim Order came to an end.

5. An **Execution Petition No.8/2025** got filed by the Respondent-Son for the recovery of Interim Maintenance, wherein objections were filed by the Petitioner-Father. The Petitioner aggrieved by the maintainability of the Execution Petition filed **Criminal Revision (MAT.) No. 214/2025** challenging the Execution Petition. However, vide **Order dated 06.05.2025**, it was clarified that even though the Interim Maintenance had been granted



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by the learned Trial court *vide* Order dated 29.07.2022 till the age of majority, but it got modified by this Court *vide* Order dated 05.11.2024, wherein it was directed that the maintenance be continued to be paid beyond the age of majority. However, the Revision Petition got finally dismissed on 06.02.2025.

6. It was clarified in this Order that since Interim Maintenance Order had been modified by this Court for the interim period beyond the period of majority of the Respondent-Son, he was held entitled to the same till the dismissal of the Revision Petition *vide* Order dated 06.02.2025. ***This implies that the Respondent is entitled to the Interim Maintenance of Rs.50,000/- per month even beyond the period of majority till the disposal of Revision Petition on 06.02.2025.***

7. The learned Judge, Family Court *vide* Order dated 28.05.2025, has therefore, rightly held that the Respondent-Son is entitled to Interim Maintenance of Rs. 50,000/- beyond the age of majority till 06.02.2025, and has accordingly directed the Judgment Debtor (the Petitioner) to make the payment.

8. There is no infirmity in the Order of the learned Judge, Family Court. The Petition is hereby dismissed and stands disposed of along with the pending Application(s).

(NEENA BANSAL KRISHNA)
JUDGE

AUGUST 26, 2025
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