



CRM-M-2244-2026 (O&M)

-1-

131

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
CRM-M-2244-2026 (O&M)
Date of Decision: 16.01.2026**

RAVINDER

... PETITIONER

VERSUS

NITU AND ANOTHER

....RESPONDENTS

CORAM : HON'BLE MS. JUSTICE KIRTI SINGH

resent: Mr. Anil K. Sharma, Advocate with
Ms. Saroj Kumari and Mr. Vikash Yadav, Advocates
for the petitioner.

KIRTI SINGH, J. (ORAL)

The instant petition has been filed under Section 528 of BNSS for setting aside the order dated 12.12.2025 issued by learned Principal Judge, Family Court, Bawal, Rewari in execution petition bearing No. CRM-147 of 2023 titled as “*Nitu and another Vs. Ravinder*” dated 09.01.2026 (Annexure P-12) passed by the learned Principal Judge, Family Court, Bawal, Rewari, vide which warrant of arrest have been issued by the learned court without taking into consideration an application for setting aside the *ex-parte* order dated 02.09.2022 and judgment and decree dated 27.01.2023 (Annexure P-1).

Learned counsel for petitioner *inter alia* submits that respondent Nos. 1 & 2 had filed an application for maintenance against the petitioner, in which the petitioner was proceeded against *ex-parte* vide order dated 02.09.2022. Thereafter, vide judgment and decree dated 27.01.2023, the petitioner-husband was directed to pay maintenance amounting to Rs.15,000/- (i.e. Rs.10,000/- to the

wife and Rs.5,000/- to the son) alongwith litigation expenses. Thereafter, the



CRM-M-2244-2026 (O&M)

-2-

petitioner filed an application for setting aside the *ex-parte* order dated 02.09.2022 and judgment and decree dated 27.01.2023 before the learned Principal Judge, Family Court, Bawal, Rewari, which is still pending for adjudication. However, during the intervening period, the execution has been filed by the respondents in which the petitioner had already paid an amount of Rs.2,28,000/- to the respondents and now warrant of arrest have been issued against the petitioner vide orders dated 12.12.2025 and 09.01.2026, without deciding the application for setting aside the *ex-parte* order.

The present petition is being decided *in limine* in order to save litigation cost of the respondent and also to save the judicial time of the Court.

In view of the above-mentioned submissions made by learned counsel for the petitioner and after perusing the judicial file, this Court deems it appropriate to dispose of the present petition with a direction to the Court concerned to decide the pending application filed for setting aside the *ex-parte* order dated 02.09.2022(Annexure P-2) within a period of two months from the date of receipt of certified copy of this order.

In the meanwhile, the conditional warrants against the petitioner shall remain stayed till the disposal of the said application, whereafter the execution shall proceed in accordance with the decision taken therein.

(KIRTI SINGH)
JUDGE

16.01.2026
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No