



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

135

CRR(F)-1044-2025 (O&M)
Date of decision : 25.08.2025

Ashish YadavPetitioner

versus

Shivani Yadav and othersRespondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Anurag Jain, Advocate with
Mr. Lalit Rishi, Advocate for the petitioner.

Mr. Manish Soni, Advocate for the respondents.

NAMIT KUMAR, J. (ORAL)

1. The petitioner has filed the instant revision petition challenging the order dated 04.06.2025 passed by learned Additional Principal Judge, Family Court, Gurugram, whereby the petitioner-husband has been directed to pay 50% arrears on or before 25.08.2025 and it has further been ordered that if the petitioner fails to pay the requisite amount by 25.08.2025 then his defence shall be deemed to be struck off.

2. Learned counsel for the petitioner submits that the impugned order dated 04.06.2025 is liable to be set aside on account of the fact that the learned Trial Court has not adhered to the relevant provisions of Section 125 of Code of Criminal Procedure, 1973 as well as law laid by Hon'ble Supreme Court in ***Rajnish Vs. Neha : 2021(2) SCC 324*** and the said order has also been passed without considering the affidavits filed by the parties to the lis.



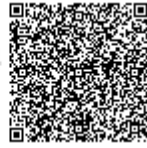
3. He further submits that in terms of order dated 08.04.2024, he is ready to bear 70% of the educational expenses of the children and in order to show his bona fide, he is ready to deposit an amount which the Hon'ble Court may deem fit and appropriate in the matter.

4. Learned counsel for the respondents has consented the prayer made by learned counsel for the petitioner and submits that consent on the part of respondent No.1-wife may not be construed as an admission regarding educational expenses which may kindly be assessed by the Family Court at the time of determination of interim/final maintenance along with other expenses of the children. He further submitted that the petitioner is required to bear overall 70% expenses of the children expenses.

5. Learned counsel for the parties are ad idem that in the interregnum, the petitioner shall pay a sum of Rs.10 lacs to respondent No.1-wife by way of cheque and shall deposit Rs.10 lacs (Rs.5 lacs each) in the shape of FDRs in the name of respondents No.2 & 3 i.e. minor daughters of the petitioner and respondent No.1, in the Family Court, within a period of four weeks from today.

6. Consequently, the impugned order dated 04.06.2025 passed by learned Additional Principal Judge, Family Court, Gurugram, is set aside.

7. The Family Court, Gurugram is directed to consider and finalize the issue of interim maintenance/final maintenance, on the basis of evidence, which had already been on record or to be led by both the



CRR(F)-1044-2025 (O&M)

3

parties, within a period of 03 months after deposit of abovesaid amount by the petitioner.

8. Pending applications, if any, shall stand disposed of accordingly.

25.08.2025

kothiyal

**(NAMIT KUMAR)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No