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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-63618-2024  
Date of decision: 07.04.2025

MANJIT KAUR

...Petitioner(s)

VERSUS

HARDEV SINGH

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. N. S. Dadwal, Advocate  
for the petitioner.

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**JASGURPREET SINGH PURI, J. (Oral)**

1. The present petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for directing the learned Executing Court, Jagraon to decide the Execution Application bearing No.CRM-28-2024 titled as Manjit Kaur versus Hardev Singh (Annexure P-2) within a stipulated time period.

2. Learned counsel for the petitioner submitted that the petitioner is the wife of the respondent and she filed a petition under Section 125 Cr.P.C. before the learned Additional Principal Judge, Family Court, Ludhiana (Holding Camp Court at Jagraon), which was allowed on 22.04.2024 vide Annexure P-1 and monthly maintenance allowance to the tune of Rs.10,000/- per month was awarded to the petitioner-wife. He further submitted that the reason for filing the present petition seeking issuance of direction to the learned Executing



Court, Jagraon to decide the execution application, which was filed by the petitioner in the month of June, 2024 is that the petitioner is a patient of thyroid and is also suffering from tumor of neck and she is residing alongwith her son, who is also a heart patient and till date not even a single penny has been paid to the petitioner by the respondent-husband. He also submitted that the prayer in the present petition is only to the limited extent that the execution application filed by the petitioner vide Annexure P-2 may be directed to be decided within a stipulated time period in view of the peculiar facts and circumstances of the present case.

3. After hearing the learned counsel for the petitioner, this Court is of the considered view that the present petition can be disposed of even without issuing notice to the respondent in view of the extraordinary facts and circumstances of the present case as so pleaded by the learned counsel for the petitioner. A perusal of the order passed by the learned Additional Principal Judge, Family Court, Ludhiana (Holding Camp Court at Jagraon) under Section 125 Cr.P.C. would show that an amount of Rs.10,000/- per month has been granted to the petitioner as monthly maintenance allowance. It has also come in the aforesaid order that it was so pleaded before the learned Additional Principal Judge, Family Court, Ludhiana (Holding Camp Court at Jagraon) also that the petitioner is suffering from thyroid and having a tumor in the neck.

4. Today, the learned counsel for the petitioner has also submitted that even the son of the petitioner with whom the petitioner is residing is having heart ailment and not even a single penny has been paid by the respondent-husband till date. The execution application is stated to have been filed in the



month of June, 2024, which is still pending. The prayer of the petitioner is only to the limited extent that the learned Executing Court may be directed to expedite the aforesaid execution application. Although, this Court would not have interfered by issuing any such direction to the learned Executing Court because the execution application is stated to have been filed in the month of June, 2024 but considering the present case to be an extraordinary case, whereby the facts and circumstances as so stated by the learned counsel for the petitioner suggest that some directions are required to be issued to the learned Executing Court considering the medical ailment of the petitioner pertaining to tumor in the neck and the fact that she is residing with her son, who is also a heart patient, this Court deems it fit and proper to issue directions to the learned Executing Court.

5. Therefore, this Court while exercising its extraordinary jurisdiction directs the learned Executing Court to expedite the execution application, if any, filed by the petitioner and decide the same, if not decided as yet, preferably within a period of three months from today.

6. Consequently, the present petition is disposed of.

**07.04.2025**  
Chetan Thakur

**(JASGURPREET SINGH PURI)**  
**JUDGE**

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