

**Court No. - 52**

**Case :-** APPLICATION U/S 482 No. - 11612 of 2020

**Applicant :-** Rashid Jamal

**Opposite Party :-** State Of U.P. And 2 Others

**Counsel for Applicant :-** Manish Dev Singh

**Counsel for Opposite Party :-** G.A.

**Hon'ble Om Prakash-VII,J.**

Application is disposed of at this stage itself without issuing notice to the opposite party nos. 2 & 3. If they feels any grievance with this order, they may approach before this Court for recalling the same.

Heard Shri Manish Dev Singh, learned counsel for the applicant and learned AGA for the State.

The present application u/s 482 Cr.P.C. has been filed by the applicant with the prayer to quash the order dated 18.02.2020 passed by the Principal Judge, Family Court, Mau in Execution Case No. 207 of 2019 (CNR No. UPMA020003592019), under Section 128 Cr.P.C., P.S. Kotwali, District Mau.

Only grievance of the applicant is that court below while passing the order dated 18.02.2020 did not calculate the arrears amount adjusting, the amount already deposited by the applicant and illegally issued recovery warrant of Rs. 3,52,700/-.

Perusal of order dated 18.02.2020 itself reveals that application moved by the applicant was considered but the amount said to have been paid by the applicant have not been taken into consideration.

Learned counsel for the applicant undertake to file fresh calculation chart before the court below within one month.

Keeping in view the undertaking given by the applicant, application is disposed of at this stage itself with the direction to the applicant to move a fresh calculation chart before the court concerned within one month disclosing all the facts as has been raised in this application. If such application is moved, court concerned is directed to consider the same in light of the direction given by this Court in Criminal Revision No. 364 of 2019 on 25.01.2019. Applicant will also deposit the admitted arrears amount within the same period.

Effect and operation of the recovery warrant issued in the matter on 18.02.2020 shall be kept in abeyance till fresh order passed by the court below. In case, applicant fails to comply the direction of this Court, stay order granted in this matter shall come to an end automatically.

Accordingly, the present application stands **disposed of**.

The party shall file computer generated copy of this order downloaded from the official website of High Court, Allahabad. The concerned Court / Authority / Official shall verify the authenticity of such computerized copy of the order from the official website of High Court Allahabad and shall make a declaration of such verification in writing.

**Order Date :-** 26.6.2020

Sanjeet