

Tikam

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1729 OF 2026

VAISHALI
ANIL
TIKAM

Ashwini Nikhil Dhanawade

...Petitioner/s

Versus

Nikhil Rajendra Dhanawade

...Respondent/s

Digitally signed
by VAISHALI
ANIL TIKAM
Date:
2026.09.03
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Ms. Snehal B. Mande, Advocate for Petitioner.

Mr. Prathamesh Bhargude a/w. Mr. Sumit Sonare, Advocate for Respondent.

CORAM : SHIVKUMAR DIGE, J.

DATE : 28th AUGUST, 2026.

P.C. :

1. Heard learned counsel for the Petitioner and Respondent.
2. The Petitioner, on instructions, seeks leave to withdraw the petition with liberty to keep the contentions of the Petitioner open as maintenance application of the petitioner is rejected without any reasonable ground.
3. Learned counsel for the Respondent strongly objected for the same.
4. I have both learned counsel. Perused impugned order passed by 4th Joint Civil Judge Senior Division Pune. dated 12/09/2023. By the said order, the Learned Judge has rejected the maintenance application filed by the Petitioner on the ground that the Petitioner is well qualified

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and she has not produced bank account statements. Both parties intend to lead evidence in support of their case, as impugned order was not passed on merit. Hence, I find it is a fit case to remand back for fresh hearing by giving opportunity to both the parties and I pass following order:

ORDER

- (i) Petition is party allowed.
- (ii) The impugned order passed below Exhibits 17 dated 12/09/2023 by the Learned 4th Joint Civil Judge, Senior Division Pune is quashed and set aside.
- (iii) The maintenance application of the Applicant is remanded back to the Learned Court for fresh hearing by giving opportunity to both the sides.
- (iv) The Learned Judge shall decide the application on its own merit, preferably within six months after receipt of this order.
- (v) Contentions of both the parties are kept open.
- (vi) Writ petition is disposed of.

(SHIVKUMAR DIGE, J.)