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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

**WRIT PETITION NO.3791 OF 2013**

Tukaram Ramrao Tong

..PETITIONER

VERSUS

Dwarkabai Tukaram Tong & ors.

..RESPONDENTS

Mr Sudhir K. Chavan, Advocate for petitioner;  
Mr S.B. Ghatol Patil, Advocate for respondent no.1

**CORAM : N.W. SAMBRE, J.**

**DATE : 21<sup>st</sup> November, 2015**

**ORAL ORDER :**

By consent, the orders dated 19<sup>th</sup> December, 2012 and 18<sup>th</sup> April, 2013, passed by Joint Civil Judge Senior Division, Parbhani, below Exh.17, in Regular Civil Suit No.121 of 2011 and below Exh.16 in Regular Darkhast No.224 of 2012, respectively, are set aside, as the petitioner has already deposited part interim maintenance of Rs.20,000/- and has participated in the further proceedings, after considering his defence.

2. The order dated 19<sup>th</sup> December, 2012, passed by Joint Civil Judge Senior Division, Parbhani, below Exh.14, in Special Civil Suit No.121 of 2011, awarding interim maintenance of Rs.3,000/- per month, is not interfered with.

(2)

2. In view thereof, the petition stands allowed, as stated herein above, by quashing the orders dated 19<sup>th</sup> December, 2012 and 18<sup>th</sup> April, 2013, passed by Joint Civil Judge Senior Division, Parbhani, below Exh.17, in Regular Civil Suit No.121 of 2011 and below Exh.16 in Regular Darkhast No.224 of 2012 respectively.

3. The trial of the suit is expedited.

4. The above order is passed taking into account the contention of the petitioner that he shall pay the balance interim maintenance amount within a period of eight weeks from today, failing which the Trial Court will be at liberty to proceed in accordance with law against him.

**(N.W. SAMBRE, J.)**

amj