

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

**CRIMINAL APPLICATION NO. 2379 OF 2015
IN
CRIMINAL WRIT PETITION NO. 1294 OF 2014**

Swapnil s/o. Punjabrao Wankhede & Anr. .. Applicants

Versus

Kanchan w/o. Swapnil Wankhede .. Respondent

Mr. S.R. Choukidar h/f. Mr. V.S. Panpatte, Advocate for the applicants.

Mr. R.A. Jaiswal h/f. Mr. N.S. Ghanekar, Advocate for sole respondent.

CORAM : SMT.SADHANA S. JADHAV,J.

DATED : 07.05.2015

P.C. :-

1. Heard. This is an application seeking correction/modification of order dated 20.04.2015 passed by this Court. It is made clear that in Para-5, the sentence in 5th line i.e. "Hence, clause (4) xxxxxxxxxx upheld." of the said order shall be read as follows :-

. The Appellate Court before whom the appeal is pending shall use judicial discretion to decide as to whether the matter needs to be remanded for reconsideration to the Court of J.M.F.C., Aurangabad. The Appellate Court or the Trial Court would be at liberty to consider the grant as well as quantum of maintenance to

be paid to the respondent in accordance with law without being influenced by the observations made by this Court in the order dated 20.04.2015. The petitioners herein would also be at liberty to file an application before the appropriate Court to seek expeditious hearing of the appeal, if needed.

2. The criminal application stands disposed of accordingly.

[SMT. SADHANA S. JADHAV,J.]