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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 7067 OF 2015
IN
WRIT PETITION NO. 3775 OF 2015

Janvi Parasram Mehata & Others

APPLICANTS

VERSUS

Parasram Narayan Mehata & others

RESPONDENTS

.....

Mr. Amit A. Mukhedkar, Advocate for the applicants

Mr. Arvind Deshmukh, Advocate for respondents No.1 and 2

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[CORAM : SUNIL P. DESHMUKH, J.]**DATE : 14th AUGUST, 2015****ORDER :**

1. Parties do not dispute that the amount sought to be withdrawn is an amount towards part of monthly maintenance meant for plaintiff No.1.

2. Perusal of the order impugned in the writ petition also shows that various aspects involved in the matter have been considered by the court and thereafter the order has been passed.

3. The writ petition is yet to be considered on merits. This court, while passing an order on 16th April, 2015 had observed

that it would be open for respondents No.1 and 2 therein to make an application for withdrawal of amount. Accordingly, this application has been moved.

4. Mr. Deshmukh, learned advocate has some reservations for withdrawal of the amount stating that the mother is in a position to maintain the child and in such a case, this amount is not necessary to be withdrawn.

5. However, looking at that the amount is meant for maintenance of the child and the amount being part of maintenance, the applicants deserve to withdraw the same.

6. Accordingly, civil application stands allowed in terms of prayer clause "B" and is disposed of.

[SUNIL P. DESHMUKH, J.]