

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL WRIT PETITION NO. 32 OF 2015

SHRI DIVAKAR NAIK, THROUGH POA MR.
ROHIDAS H. NAIK.

... Petitioner

Versus

STATE OF GOA, THROUGH PUBLIC
PROSECUTOR, PANAJI AND 2 ORS.,

... Respondents

Shri Esperdiao Dias Do Rosario, Advocate for the Petitioner.

Shri Somnath B. Karpe, Advocate for the Respondents No.2 and 3.

CORAM:- C. V. BHADANG, J.

DATE : 25th JUNE, 2015

ORAL ORDER:

Heard the learned Counsel for the parties.

2. By this petition, the petitioner-husband is challenging the judgment and order dated 30.12.2014 passed by the learned Sessions Judge, North Goa, Panaji in Criminal Revision Application No. 6/2012. By the impugned judgment, the learned Sessions

Judge has dismissed the application filed by the petitioner, thereby confirming the order dated 19.11.2011 passed by the learned Judicial Magistrate First Class, Ponda, whereby interim maintenance of Rs.12,000/- per month is granted to the second and third respondents. That interim order was passed granting maintenance, pending the disposal of the application under Section 125 of Code of Criminal Procedure.

3. It appears that in the revision application before the learned Sessions Judge, there was an interim order by which, the petitioner was directed to pay maintenance at the rate of Rs.6,000/- per month.

4. The learned Counsel for the parties, on instructions, submit that by way of interim arrangement the petitioner will pay interim maintenance of Rs.10,000/- per month to the second and third respondents, from the date of filing of this petition i.e. 27.02.2015. The petitioner undertakes to clear the arrears by 31.07.2015. The criminal writ petition is disposed of in the aforesaid terms.

5. The learned Magistrate shall decide the Maintenance Application No. 3/2011/C as expeditiously as possible and preferably within a period of six months, from the date of receipt of this order. The rival contention of the parties are expressly kept open.

6. There shall be no order as to costs.

C. V. BHADANG, J.

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