

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRI. WRIT PETITION NO. 1514 OF 2013

Vijay Shivling Todkar & Others. ... Petitioners.

V/s.

The State of Maharashtra & Ors. ... Respondents.

Mr. V.V. Samlewale i/by U. R. Mankapure, Advocate for the Petitioners.

Ms. Madhuri Gavaz i/by Prashant More, Advocate for Respondent Nos. 2 to 4.

Mr. A.R. Patil, APP for the State.

CORAM : M.L.TAHALIYANI,J.

DATE : 20th FEBRUARY, 2015

P.C. :

1 Admit. Heard finally.

2 The appeal filed by the petitioners against the order of the learned Magistrate under the Protection of Women from Domestic Violence Act is pending. The appellate court has granted partial stay on the execution of order of payment of compensation of Rs.50,000. However, the learned appellate court has refused to grant stay on the payment of maintenance to the wife and children i.e. respondent nos.2,3 & 4 respectively. There is no stay on the residence order also passed under section 19 of the Act. It seems that the

petitioners and the respondents are staying on the third floor of the bungalow viz. Kaustubh building situated at Chintamani Nagar, Sangli.

3 In my opinion, the interim order is reasonable. It is not the case of the petitioners that respondent no. 2 is earning and she is able to maintain herself and her children - respondent nos. 3 and 4.

4 In the circumstances, no interference is called for in the order passed by the learned appellate court at interim stage.

5 The writ petition stands dismissed.

(JUDGE)

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