

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

REVISION APPLICATION NO.37 OF 2015

Smt. Manjula Yeshwant Mohite .. Applicant
-Versus-
Mrs.Sadhana Raju Mohite & Ors. .. Respondents

Mr.Shashank Choudhary i/b. Sachin Masurkar and V.S.Wagh for
applicants Mrs.V.S.Mhaispurkar, APP for State.
Mr.Jitendra Pathade for respondents.

CORAM : M.L.TAHALIYANI, J.

DATE : 10th February 2015.

P.C.

1] This application arises out of the order passed by the family court in Petition No.E-276 of 2013 under section 125 of the Cr.P.C. and under various sections of Protection of Women from Domestic Violence Act. It appears that the order was passed without hearing the respondents. It is very clear from the impugned order, a photocopy of which is shown to me by the learned Advocate for the respondents, that the learned Magistrate wanted the applicant to file her say. It is thus obvious that the interim order, if any, will become final only after hearing the applicant.

2] In the circumstances, I pass the following order:-

(a) The revision application is disposed of by issuing directions to the Magistrate to hear the respondents and applicants on the reliefs prayed by the respondent No.1 in applicant No.276 of 2013 and pass suitable interim orders as may be found necessary by the learned Magistrate.

(b) The application stands disposed of.

(c) The Magistrate shall decide the application for interim relief within a period of one week from the date of filing reply by the applicant.

(M.L.TAHALIYANI, J.)