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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.3257 OF 2014

Kishor Anand Shinde and Ors. ... Petitioners.
V/s.
Harshali Kishor Shinde and Ors. ... Respondents

Mr.Mahindra Deshmukh, for the Petitioners.
Mr.Y.M.Nakhwa, APP for the Respondent – State.
Mr.Madhav Jamdar, for Respondent Nos.1 and 2.

CORAM : REVATI MOHITE DERE, J.
DATED : 27th MARCH, 2015.

P.C.

1 On 20th March, 2015, this Court (Coram:Revati Mohite Dere,J.) with the consent of the parties, passed an order, which was without prejudice to their rights and contentions, with regard to payment of maintenance and access of the child.

2. The matter was kept today only to enable the petitioners to file an undertaking in this Court, with regard to the installments that were directed to be paid vide order dated 20th March, 2015, as well as the maintenance awarded by the trial court.

3. Learned Counsel for the Petitioners states that on the last date when the order dated 20th March, 2015 was passed, inadvertently, he had stated that the arrears which were due and payable were Rs.27,200/-. He submitted that infact, the arrears that are due and payable are Rs.23,200/- and not Rs.27,200/- The same is not disputed by the learned counsel for the respondent nos.1 and 2. In view of the said statement, there will be some modification in the installments that will be paid to the respondents.

4. The undertaking submitted by the petitioner no.1 is taken on record and marked 'X' for identification. Vide clause – 4 of the said undertaking the Petitioner No.1, has agreed to pay the arrears of maintenance, in five installments ; the first four installments being, Rs.5,000/- each and the last installment being Rs.3,200/-. The Petitioner No.1, has also undertaken to pay the first installment on or before 6th April, 2015 and the balance four installments, every two weeks thereafter, in the Trial Court. He has also given an undertaking in clause – 5 that he will pay monthly maintenance of Rs.3,000 as awarded by the Trial Court on or before 10th day of every month in the Trial Court, and has accepted, that the respondent no.1 will be at liberty to withdraw all the aforesaid amounts,

so deposited in the trial court.

5. Learned Counsel for the respondent nos.1 and 2 on instructions, accepts the terms set out in the undertaking, with regard to the payments.

6. Accordingly, the undertaking given by the petitioner no.1 to this Court, is accepted and Criminal Writ Petition No.3257 of 2014 is disposed of on the aforesaid terms, in view of the undertaking given by Petitioner No.1.

7. Parties to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)