

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CIVIL APPLICATION O. NO.119/2015
IN
FAMILY COURT APPEAL NO.312/2014

Sudhakar s/o Kisan Gaikwad
...Versus...
Smt. Jyotsna w/o Sudhakar Gaikwad

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri A.S. Ghawde, Adv. h/f Shri D.M. Kale Adv. for appellant
Ms Godbole, Adv. h/f Shri S.T. Godbole, Advocate for respondent/applicant

CORAM : SMT. VASANTI A. NAIK AND
A.M. BADAR, JJ.
DATE : 20.03.2015

By this civil application, the respondent/applicant seeks vacation of stay granted by this Court on 30.6.2014 and confirmed on 29.10.2014 on the ground that the appellant has not complied with the interim order and has not deposited 50% of the arrears of maintenance @ Rs.4,000/- per month and has also not further deposited a sum of Rs.4,000/- per month regularly.

Though the aforesaid submission is made, the application does not state that the appellant has not deposited 50% of the arrears of maintenance @ Rs.4,000/- per month. It is only stated that the appellant has not deposited 50% of the arrears of maintenance.

The learned Counsel for the appellant states that the appellant has deposited 50% of the arrears of maintenance @ Rs.4,000/- per month and is regularly depositing a sum of Rs.4,000/- per month in the Family Court. Some receipts are also tendered in the Court for perusal.

Be that as it may, we would not like to decide the issue whether the entire amount as directed by this Court by the orders dated 30.6.2014 and 29.10.2014 is deposited by the appellant or not. If the appellant has not deposited the said amount, the respondent/applicant is free to execute the decree.

With the aforesaid observations, we dispose of the civil application.

JUDGE

JUDGE

Wadkar