

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

CRIMINAL WRIT PETITION NO.744/2014

(Ashok Nivrutti Dambelkar ..vs.. Sau. Sonali Ashok Dambelkar and 5 others)

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

Court's or Judge's orders.

Mr. Sathianathan, Advocate for petitioner
Mrs. R. S. Sirpurkar, Advocate for respondent.

CORAM : A.B. CHAUDHARI, J.

DATE : JULY 1, 2015.

Heard learned counsel for the rival parties.
Perused the impugned order as well as order dated
12.09.2014 passed by this Court. The trial court had
made an order, allowing maintenance at the rate of
Rs.10,000/- per month each to wife and the child of
the petitioner.

Learned counsel for the petitioner
submitted that the salary of the petitioner is
Rs.6,000/- per month for which, for the first time, he
produced salary certificate before this Court.
Mr. Sathianathan, learned counsel for the petitioner,
is unable to give any reason as to why said certificate
was not produced or pressed before the trial court or
appellate court.

Admittedly, Criminal Appeal No.
100/2013 is pending before District and Sessions
Judge, Akola. In that view of the matter, following
order would subserve the ends of justice.

ORDER

- (i) Criminal Writ Petition No.744/2014 is disposed of.
- (ii) Petitioner shall pay total sum of Rs.5000/- per month by way of interim maintenance during pendency of the appeal before District and Sessions Judge, Akola.
- (iii) The learned District and Sessions Judge, Akola shall dispose of the appeal itself after hearing both sides within a period of four months from today.
- (iv) Payment of the entire arrears at the rate of Rs.5000/- per month shall be the pre condition for hearing of the appeal.

JUDGE

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