

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL WRIT PETITION NO. 22 OF 2015

Dishant s/o Popatrao Paithankar,
Age: 26 years, Occ: Education,
R/o. Hivarkheda Road, Siddharth Colony,
Kannad, Tq. Kannad,
District Aurangabad.

...Petitioner

versus

The State of Maharashtra & ors.

...Respondents

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Mr. V.B. Garud, Advocate for petitioner
Mr. A.R. Kale, A.P.P. for respondent/State
Mr. D.R. Markad, Advocate h/f Mr. A.N. Kakade,
Advocate for respondent Nos. 2 & 3

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CORAM : N.W. SAMBRE, J.

DATE : 26th APRIL, 2016

ORAL ORDER :

After having heard Mr. Garud, learned Counsel for the petitioner and learned Counsel for the respondents, following order is passed.

2. It is noted that learned Magistrate has passed an order of payment of maintenance of Rs.4000/- plus Rs.3000/- per month i.e. Rs.7000/- per month below Exhibit-3 in Misc. Criminal Application No. 71 of 2014 on 28/10/2014 towards interim maintenance. On 31/03/2015 the petitioner volunteered to pay the monthly maintenance Rs.4500/- in totality, however, the said amount is not

paid till date.

3. In view of above, the writ petition is disposed of in terms of observations made by this Court in paragraph-1 in the order dated 31/03/2015, which reads thus :

“ Shri. Amol N. Kakde, the learned Counsel for respondent No. 2 and 3 submits that, he has instructions in respect of the quantum of maintenance. On the last occasion i.e. 23rd March 2015, the learned Counsel for the petitioner, upon instructions, had submitted that the petitioner is willing and desirous to pay monthly maintenance to the tune of Rs.4,500/- in totality.”

4. Learned Court below shall decide the main proceedings without being influenced by the observations made herein above.

[N.W. SAMBRE, J.]