

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

CRIMINAL WRIT PETITION NO. 235 OF 2007

SITARAM LALSINGH RATHOD
VERSUS
MEERABAI SITARAM RATHOD AND OTHERS

...
Advocate for Petitioner : Mr Kshitij S Surve h/f Hemant
Surve

APP for Respondents : Mr A R Kale
Advocate for Respondent 1 : Mr Chandrakant Patil h/f V S
Janephalkar

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CORAM : V.K. JADHAV, J.
Dated: August 22, 2016
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PER COURT :-

1. It appears from the prayer clause “**B**” that, petitioner has mainly challenged the order of Family Court directing the attachment of the salary of the petitioner. It appears from the annexures of the petition that in lieu of the arrears of maintenance of Rs.8,500/- for the period of 5.5.2006 to 5.11.2006 the learned Principal Judge, Family Court, Aurangabad in terms of the order dated 17.3.2007 issued warrant directing recovery of the arrears of the maintenance by attachment of salary of the present petitioner to the extent of Rs.8,500/-. It further appears from the order passed by this Court dated 2.8.2007 that while granting Rule Stay has been granted to the payment of maintenance only so far as respondent no.2 as he had attained the age of

majority. It further appears from the order dated 2.8.2007 that stay has been granted on condition that the petitioner shall regularly pay amount awarded to respondent no.1-wife.

2. In view of the above, so far as directions of attachment of the salary of the petitioner is concerned, for recovery of the arrears of maintenance, the order must have been complied long back and both the counsel have no specific instructions in this regard. It thus appears that the cause for filing present writ petition has been rendered infructuous due to passage of time.

3. Writ Petition is accordingly disposed off as infructuous. Rule discharged.

(V.K. JADHAV, J.)

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aaa/-