

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

CRIMINAL REVISION APPLICATION NO.68 OF 2004

Syed Ashfaq s/o Syed Hyder,
Age 29 years, Occu. Business,
Resident of Numani Nagar,
Lane No.1, Malegaon, Taluka
Malegaon, District Nasik

.. Applicant

Versus

1. Sow. Kausarbani w/o Syed
Ashfaq, Age 25 years,
Occu. Household,
Resident of Numani Nagar,
Lane No.1, Malegaon, at
present Khandala, Taluka
Vaijapur, Dist. Aurangabad
2. Syed Arju s/o Syed Ashfaq,
Age 3 years, minor, u/g of
petitioner No.1
Resident of as above
3. Syed Aman s/o Syed Ashfaq,
Age 1 years, minor, u/g of
petitioner No.1,
Resident of as above

.. Respondents

Mrs A.N. Ansari, Advocate for applicant
Mr Mujtaba Gulam Mustafa, Advocate for respondents

CORAM : N.W. SAMBRE, J.

DATE : 20th August 2016

ORAL JUDGMENT

1. In Petition No.E-402/2003, the learned Principal Judge, Family Court, Aurangabad, pursuant to a prayer made by the wife i.e. respondent No.1 and the children vide judgment dated 15th January 2004 awarded maintenance of Rs.250/- per month to the children, however, claim for maintenance was rejected qua moved by the wife – Kausarbani.

2. The said order passed by the learned Principal Judge, Family Court, Aurangabad is questioned by the husband in present proceedings.

3. It is required to be noted that the present proceedings were admitted by this Court in 2004 and since then, no interim order is governing the field, particularly setting the order of maintenance. What is ordered by the Family Court is payment of Rs.250/- per month to each of the child and at the relevant time, the age of the children was about three and one year respectively.

4. In view of lapse of time of about twelve years and since the impugned order was not stayed for all this period, in my opinion, no case for interference under the revisional jurisdiction is made out, particularly when no material illegality or failure to exercise the jurisdiction is pointed out.

5. As such, Criminal Revision Application stands dismissed.

(N.W. SAMBRE, J.)

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