

(1)

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

CRIMINAL WRIT PETITION NO.472 OF 2003

Sambhaji s/o Sadashiv Gitte ..PETITIONER

VERSUS

Mangal w/o Sambhaji Gitte ..RESPONDENT

CORAM : N.W. SAMBRE, J.

DATE : 22nd April, 2016

ORAL ORDER :

By an order dated 11th September, 2002, learned Judicial Magistrate First Class, Parli Vaijnath, ordered maintenance of Rs.400/- per month to the respondent from the date of the application, i.e. 12th December, 2001. The said order was further confirmed in Criminal Revision No.82 of 2002 on 22nd July, 2003, passed by 2nd Ad hoc Additional Sessions Judge, Ambajogai.

2. The payment of maintenance is questioned, based on the deposition of the respondent – wife wherein she has stated that she is not ready to live with the petitioner and lead marital life.

3. In my opinion, aforesaid statement in the evidence of respondent – wife cannot be read in isolation.

(2)

4. Apart from above, the order of payment of maintenance is holding the field for last more than fifteen years.

5. In view thereof, no case for interference is made out in the present writ petition. Thus, Criminal Writ Petition stands dismissed. Rule stands discharged.

(N.W. SAMBRE, J.)

amj