

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO. 1463 OF 2014

Shaikh Yusuf S/o Shaikh Osman
and others

.. Petitioners

Vs.

Farheen W/o Shaikh Yusuf and others

.. Respondents

Mr. S.R. Dheple, Advocate for the petitioners
Mr. R.V. Dasalkar, A.P.P. for the respondent-State
None present for respondent nos.1 and 2 though served

CORAM : M.T. JOSHI, J.

DATE : 03/02/2016

ORAL ORDER :

1. Heard learned counsel for the petitioners and the learned A.P.P.
2. None appears for the respondent nos.1 and 2, though duly served.
3. The orders of the learned Judicial Magistrate First Class, Aurangabad as well as of the learned Additional Sessions Judge, Aurangabad cannot be faulted with, as both the orders are passed regarding the interim maintenance during the pendency of the original proceeding under the provisions of the Protection of Women from Domestic Violence Act, 2005.

4. It however appears that the proceedings are pending since the year 2013 and the interim maintenance is being paid with effect from 12/08/2013. In the circumstances, the present Writ Petition is disposed of with a direction that the respondent nos.1 and 2 shall conclude their evidence in the trial Court within a period of 4 months with effect from today.

5. Upon failure, the present petitioner would be entitled to seek modification of the earlier order, which issue, shall be decided by the learned Judicial Magistrate First Class afresh taking into consideration the protraction of the case, if any, at the behest of the respondents.

6. With these directions, the Writ Petition is disposed of.

7. Authenticated copy of this order be provided to the learned counsel for the parties, on their request.

[M.T. JOSHI]
JUDGE

arp/