

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL WRIT PETITION NO. 2 OF 2016

SHRI.K.N. RAMCHANDRA NAIDU.

... Petitioner

Versus

MRS.SUJATA RAMCHANDRA NAIDU AND
ANR.,

... Respondents

Mr. G. Agni, Advocate for the Petitioner.

Ms. Reshma Satardekar, Advocate for the Respondents.

Coram:- C. V. BHADANG, J.

Date:- 7th April, 2016

P.C.

Heard.

2. The Petitioner is seeking to challenge the Judgment and Order dated 11.06.2015 passed by the learned Addl. Sessions Judge in Criminal Appeal no. 80 of 2014 by which the learned Magistrate has confirmed the Order dated 27.06.2014 passed by the learned Judicial Magistrate First Class at Panaji, in Criminal Case no. AOA/394/12/D. By the said Order, the learned Magistrate has partly allowed the application for interim reliefs thereby restraining the Petitioner from committing any acts of domestic violence against the Respondent no. 1 and to pay a monthly maintenance of Rs.10,000/-. The Petitioner is further restrained from obstructing the entry of the Respondent no.1 in Flat no. T-2, Balaji Mansion at Ponda.

3. Indisputably, the main complaint before the learned Magistrate is already fixed for evidence of the parties. In such circumstances, the learned Counsel for the parties, on instructions, state that the Petition could be disposed of by maintaining the Order so far as grant of interim maintenance is concerned.

4. In such circumstances, the following Order is passed by consent of the parties :

ORDER

- (i) The impugned Order to the extent of restraining the Petitioner from indulging into acts of domestic violence and the Order directing him to pay interim maintenance of Rs.10,000/- per month, is hereby confirmed.
- (ii) The part of the impugned Order restraining the Petitioner from obstructing the Respondent no.1 from entering into the Flat no. T-2, Balaji Mansion, Ponda, is hereby set aside.
- (iii) The Petitioner shall deposit the entire arrears of monthly maintenance up to April, 2016, within a period of three weeks from today before the learned Magistrate.
- (iv) The Petitioner shall continue to pay the monthly

maintenance of Rs.10,000/- per month from May 2016 on or before the 5th of each English Calendar month.

(v) The rival contentions of the parties are left open.

(vi) The Petition is disposed of in the aforesaid terms.

C. V. BHADANG, J.

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