

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO.1345 OF 2006

Shri Khudbuddin Husen Patel.] ... Petitioner

Versus

1. Sou. Farjana Khudbuddin Patel,]
2. The State of Maharashtra.] ... Respondents

None present.

CORAM :- M. S. SONAK, J.
DATE :- JANUARY 07, 2016

P. C. :-

1. Neither the petitioner nor his Advocate are present. However, considering that the petition is of the year 2006, the same is finally disposed of.

2. The challenge in this petition is to the orders dated 10/05/2005 and 27/12/2005 made by the Judicial Magistrate First Class, Jaisingpur ('JMFC') and the Additional Sessions Judge, Jaysingpur ('ASJ') awarding maintenance to the respondent no.1 at the rate of Rs.500 per month.

3. Although Rule was issued in this petition, no interim relief was granted. Rather, directions were issued to the petitioner to continue to pay maintenance to the respondent no.1. Since neither the parties nor their Advocates are present, it is not possible to know whether the impugned orders have been complied with by the petitioner or not. Be that as it may, there is no reason to interfere with the concurrent findings of fact recorded by the two Courts. No perversity has been demonstrated in the record of such concurrent findings of fact. Accordingly, no case is made out to interfere with the impugned order in the exercise of extraordinary jurisdiction under Article 227 of the Constitution of India.

4. The petition is therefore dismissed. The petitioner to pay costs of Rs.2,500/- (Rupees Two Thousand Five Hundred Only) to the respondent no.1.

(M. S. SONAK, J.)