

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPLICATION NO. 80 OF 2016
IN
CRIMINAL WRIT PETITION NO. 1753 OF 2013**

Mrs. Sushila Prabhakar Patil. ... Applicant.
Versus
Prabhakar Ramchandra Patil & anr. ... Respondents.

Ms Vrishali Raje, advocate for applicant.

Mr. Sachin Pawar, advocate for respondent No. 1.

Ms. A.A. Mane, APP for State.

**CORAM : SMT.SADHANA S. JADHAV,J
DATE : JUNE 9, 2016**

P.C.:

1 The present applicant is respondent in Writ Petition No. 1753 of 2013. This Court (Coram : Smt. R.P. SondurBaldota, J) by an order dated 20th November, 2013 has been pleased to stay the proceedings filed by the present applicant before the learned Magistrate at Vasai. The applicant is the complainant in the said case and has initiated proceedings against the Petitioner under the provisions of Protection

of Women from Domestic Violence Act, 2005. The learned Counsel for the applicant submits that since the original proceedings are stayed by this Court, the Petitioner has not paid the maintenance which was granted to the applicant under Section 125 of the Code of Criminal Procedure, 1973. The learned Counsel submits that the applicant is in the process of filing an execution petition.

2 As on today, the application has been circulated urgently for the reasons that the son of the present applicant has passed his Secondary School Certificate examination. The results of which are declared on 6/6/2016. The applicant and the respondent belong to Hindu-Agri Caste which falls into the category of other backward class(OBC). It is submitted that the son of the applicant and the petitioner would be entitled to the privileges cast upon the students belonging to the OBC category. That on line process of seeking admission to the colleges has commenced. The son of the applicant would require the caste certificate. It is therefore, prayed that the Petitioner i.e. the present respondent be directed to give his own caste certificate as well as

other relevant documents pertaining to caste claim of the Petitioner in order to entitle their son to avail of the privileges and protection carved out for the students belonging to the OBC Caste.

3 The said prayer needs to be granted forthwith as it would seriously affect the future career of the son of the applicant. Hence, the application is allowed in terms of prayer clause (AA) as well as prayer clause (A). The application accordingly stands disposed of.

4 The Writ Petition be listed for final hearing on 30/6/2016.

The parties to act on the authenticated copy of this Order.

(SMT. SADHANA S. JADHAV,J)