

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

WRIT PETITION NO. 1774 OF 2014

Shri Achyut Ankush Sawant ... Petitioner
Vs
Sou. Anita Achyut Sawant & Anr. ... Respondents

...

Ms. Anjali S. Ranade for the petitioner.
Mr. Pralhad D. Paranjape for the Respondent No.1
Ms. M. R. Tidke, APP for the State.

CORAM : M. S. SONAK, J.
DATE :20 AUGUST, 2016

P.C. :

1. This matter is already posted under the caption for “dismissal”.
2. Even today, neither the Petitioner nor his counsel appear. Mr. Paranjape, who appears for the Respondent wife points out that, the Trial Court has directed payment of maintenance @ Rs.3000/- per month. The Appeal Court has also confirmed this order. As such, two courts have concurrently ruled in the matter of payment of maintenance. Mr. Paranjape also makes reference to the order dated 11th August 2014, in which, this Court has noted the inability expressed by the Petitioner to pay arrears. This Court, in fact, clarified that the pendency of the present petition may not be construed as stay to the execution proceeding.

3. The petitioner is not pursuing the present petition. Even otherwise, there are concurrent finding of facts recorded by the two courts. There is no perversity demonstrated in the record on such finding of facts. Accordingly, no case is made out to interfere with the impugned order in the exercise of Writ Jurisdiction. For the aforesaid reasons, this petition is dismissed. There shall be no order as to costs.

4. All concerned to act on the basis of the authenticated copy of this order.

(M. S. SONAK, J.)