

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 2087 OF 2007

Mrs. Tanuja K. Save .. Petitioner
vs.
Shri. Keshav alias Dr. Kamalakar
Bhaskar Save and anr. .. Respondents

WITH
CIVIL APPLICATION NO. 2897 OF 2007

Keshav alias Dr. Kamalakar
Bhaskar Save .. Applicant.
vs.
Mrs. Tanuja K. Save and anr. .. Respondents.

Mr. Jagdish Chaudhary, Ms Rutuja Pol i/b Nankani & Associates for
Mrs. Tanuja K. Save.
Mr. K.N. Kore for Keshav alias Dr. Kamalakar Bhaskar Save.
Ms M.S. Bane, learned B-Panel Counsel for Respondent No.2-State.

CORAM : M. S. SONAK, J.
DATE : 18 JANUARY 2016.

P.C. :-

1] The challenge in this petition is to the order dated 14 October 2005, by which, the Family Court, Bandra had declined the interim maintenance to the Petitioner during pendency of Petition No. C-1 of 2000.

2] Though this petition had not been admitted, by way of interim relief, the Respondent-Keshav Save was directed to pay interim maintenance at the rate of Rs.15,000/- to the Petitioner-Tanuja. The Respondent, it appears, has not honoured the interim directions, but rather, had applied for recall of the interim order. The application is pending consideration.

3] Today, when this matter is called out, learned counsel for the Petitioner points out that by the judgment and order dated 10 January 2008, the Family Court, Bandra has finally disposed of Petition No. C-1 of 2000, thereby awarding maintenance at the rate of Rs.10,000/- to the Petitioner. If that be so, there is no question of passing any further orders in this petition, because the challenge therein was to the order dated 14 October 2005 declining interim maintenance to the Petitioner.

4] The petition is, therefore, disposed of by leaving all contentions of all parties open.

5] The learned counsel appearing for the Petitioner complains about non-compliance in the matter of payment of maintenance. At this stage, it is not for this Court to entertain such grievance. The Petitioner shall, however, be at liberty to raise such grievance before the executing Court and such grievance, if raised, will be considered by the executing Court, in accordance with law. All contentions of all parties in this regard are kept open.

6] In view of disposal of main petition, Civil Application does not survive and same is also disposed of.

(M. S. SONAK, J.)