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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO. 9490 OF 2015
IN
SECOND APPEAL NO. 389 OF 2015**

Bhausahab Raoji Bhosale
age 71 years occupation Nil
R/o Umbargaon Taluka Shrirampur Dist. Ahmed Nagar
... APPLICANT.

VERSUS

Indubai Bhusahab Bhosale
age 64 years occupation Nil
R/o Kopre Vasti, Kopargaon
Tal. Kopargaon Dist. Ahmed Nagar
...RESPONDENT.

Mr Karpe Rahul R., Advocate for Appellant,
Mr S.S. Chapalgaonkar, Advocate for respondent.

CORAM : N.W. SAMBRE, J.

DATE : 3rd July, 2017

ORAL ORDER

The appellant herein undertakes to deposit an amount of maintenance to the tune of Rs. 30,000/- (Rs. Thirty thousand only), within a period of three months from today.

2. Statement is accepted.

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3. He is further directed to deposit of amount of maintenance ordered by the learned Court of II Joint Civil Judge (Junior Division), Shrirampur, every quarterly, which shall now commence from 1st July 2017. The amount of each quarter is to be deposited within a fortnight of the said quarter. With above observations, Civil Application stands disposed of by staying judgment and decree of maintenance.

4. The appeal needs consideration, in my opinion, particularly in the backdrop on the following question of law.

Whether both the Courts below have committed an error of law in ignoring the settlement arrived at between the parties at Exh. 105 and Exh. 118 ?

5. Hence Admit.

6. Learned Counsel for respondent waives service of notice on admission of appeal on behalf of respondent. The appellant undertakes to file paper book within a period of six months from today. If he fails to file paper book within the stipulated period, the appeal shall stand dismissed, without further reference to the Court.

(N.W. SAMBRE, J.)