

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

WRIT PETITION NO. 6342 OF 2015

Mr. Pravin Ramakant Waikar	...Petitioner
<i>Versus</i>	
Mrs. Radhika Pravin Waikar .	..Respondent

Mr.Pravin Ramakant Waikar for the Petitioner.

Mr.Hitesh P. Vyas for the Respondent.

CORAM : M. S. SONAK, J.

DATE : 06th DECEMBER 2017

P.C.

1. The challenge in this petition was to the order awarding interim maintenance to the respondent-wife.

2. In the meanwhile, the main petition in which the order for interim maintenance was made has itself been disposed of by the order dated 26-07-2017.

3. In view of the aforesaid development, this petition is rendered infructuous and it is required to be disposed of as such.

4. The learned counsel for the petitioner, however, points out that in terms of the orders dated 29-01-2016 and 15-10-2016, the petitioner has made certain deposits towards interim maintenance before the Trial Court. He seeks leave to withdraw the

said amount.

5. There is no question of permitting the petitioner to withdraw the said amounts. In fact, liberty is required to be granted to the respondent-wife to withdraw the said amounts and thereafter adjust the same against the claim for alimony of Rs.3,000/- per month awarded by the Trial Court while disposing of the main petition by order dated 26-07-2017. Such liberty is accordingly granted to the respondent-wife.

6. This petition is disposed of as infructuous.

7. There shall be no order as to costs.

8. The Civil Application does not survive and the same is also disposed of.

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

(M. S. SONAK, J.)