

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

WRIT PETITION STAMP NO.31463 OF 2016

Virendra Radhakrushna Bobde : Petitioner.
versus
Sau. Anjali Virendra Bobde & ors. : Respondent.

Mr. Amey Deshpande for the Petitioner.
Mr. Sachin Gite for the Respondent No.1.

CORAM : R. M. SAVANT, J.
DATE : 18th January 2017

P.C.

1 The order dated 18/03/2016 passed by the learned Judge of the Family Court, Nashik allowing the amendment application filed by the Respondent No.1 Wife so as to join the son and daughter as applicants in the application filed by her under Section 125 of the Code of Criminal Procedure is taken exception to by way of the above Petition.

2 The said application is granted as the son and daughter are desires of recovering the maintenance from the Petitioner herein which has already been granted to them. The said application filed by the Respondent No.1 was for recovery of the amount which was granted on 12/01/2001 by the learned Civil Judge, Junior Division, Nashik.

3 The learned counsel for the Petitioner objects to the son and

daughter being joined as the applicants to the said application under Section 125 of the Cr.P.C. on the ground that they have turned major in the year 2003 and 2005 respectively.

3 However to avoid multiplicity of the proceedings and considering the fact that the son and daughter are seeking to recover the amount granted to them in the year 2001 when they were minors, no exception could be taken to the impugned order. The above Writ Petition is accordingly dismissed. However, it is clarified that the contentions of the parties on merits are kept open for being urged before the Family Court, Nashik at the appropriate time. The Family Court, Nashik is directed to consider the application on its own merits and in accordance with law.

[R.M.SAVANT, J]