

*sbw***IN THE HIGH COURT OF JUDICATURE AT BOMBAY****CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO.4672 OF 2015**

Anand Baburao Nimbalkar

... Petitioner

vs.

Aruna Anand Nimbalkar & Anr.

... Respondents

Mr. P. G. Sarda for the Petitioner.

Mr. S. V. Bane (Appointed Advocate) for Respondent no.1.

Mr. V. B. Konde-Deshmukh, APP, for the Respondent-State.

CORAM : A.K. MENON, J.**DATE : 2nd AUGUST, 2017****P.C.**

1. By this writ petition, the petitioner seeks to challenge an order dated 10th July, 2015 whereby the revision application came to be dismissed. The revision application was filed challenging the order dated 29th December, 2011 passed by the JMFC, Mangalweda had granting the respondents monthly maintenance of Rs.1500/- and costs of Rs.500/-. The record reveals that the revision application was filed on 29th March, 2012. It was registered on the same date and since 19th June, 2014 the petitioner had remained absent. Although the impugned order records that the petitioner remained absent, I find that the presence of the petitioners Advocate is shown.
2. On a query from the Court, Mr. Sarda fairly states that the Advocate's appearance is incorrectly shown and that the petitioner and his Advocate

had remained absent as observed in paragraph 7. The order granting maintenance is sought to be challenged in this writ petition on the ground that the certain immovable properties have been purchased in the name of the respondent no.1-wife. This is contested by the applicant.

3. In any event, these are matters which have been gone into by the Courts below. The judgment dated 10th July, 2015 does not suffer from any perversity, especially since the marriage between the parties is still subsisting. In the circumstances, there is no cause for interference in writ jurisdiction of this Court.
4. In the circumstances, I pass the following order:–
 - (i) Writ petition is rejected.
 - (ii) No orders as to costs.

(A. K. MENON, J.)