

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR

CRIMINAL WRIT PETITION NO.298 OF 2017

Vikas s/o Bakaram Ramtekkar

..VS..

Kirti w/o Vikas Ramtekkar and anr

.....
Office Notes, Office Memoranda of Coram,
appearances, Court orders or directions
and Registrar's orders
.....

Court's or Judge's Order

Ms Sonali M. Saware, Counsel for the Petitioner.

CORAM : V.M. DESHPANDE, J.

DATED : JUNE 8, 2017.

Heard learned counsel Ms Sonali M. Saware for the petitioner. She represents original respondent No.1/husband against whom proceedings, under the Domestic Violence Act, 2005, were initiated in the Court of learned Judicial Magistrate First Class, Kalmeshwar. Learned Magistrate allowed the said proceedings filed on behalf of present respondent Nos.1 and 2. Feeling aggrieved thereby, the present petitioner along with others filed a criminal appeal before

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learned District and Sessions Judge, Nagpur vide Criminal Appeal No.151 of 2016.

The order in favour of respondent Nos.1 and 2 granted by learned Magistrate in respect of the protection was set aside by learned District Judge. So also, the order passed by learned Magistrate in favour of respondent No.1 to return of Stridhan was also set aside by learned District Judge.

Learned District Judge has only maintained the order granted by learned Magistrate of maintenance of Rs.2,000/- in favour of respondent No.2 who is a minor son of the petitioner.

Learned District Judge has found that respondent No.1 is serving as an Aanganwadi Sevika and she is also getting salary. At the same time, rightly learned District Judge has found that the present petitioner, who is father of respondent No.2, is responsible for his maintenance. The petitioner is driving an auto-rickshaw.

In that view of the matter, rightly

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amount of Rs.2,000/- was fixed as maintenance for respondent No.2. I see no reason to interfere with this reasoned order passed by learned District Judge. Hence, the writ petition is dismissed with costs of Rs.5,000/- (rupees five thousand only).

JUDGE

At this stage, learned counsel Ms Sonali M. Saware for the petitioner submits that since the petitioner belongs to the poor family, the order of costs be revoked.

The order imposing costs of Rs.5000/- is hereby revoked.

JUDGE

!! BRW !!

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