

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

CRIMINAL APPLICATION (APL) NO.360/2017

Uttam Kathalu Mandaikar ..vs.. Leelabai Uttam Mandalkar and ors.

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

Court's or Judge's orders.

Mr. V. K. Paliwal, Advocate for applicant.

CORAM : V.M. DESHPANDE, J.

DATED : JUNE 16, 2017

A statement is made by Mr. V. K. Paliwal, learned counsel for the applicant that liberty should be given to him to file an application under Section 127 of the Cr. P. C. to point out before the learned Magistrate that the maintenance granted to the original applicant no.3-Arun Uttam Manalkar is incorrect in view of the fact that by order below Exh.-68, his name was already deleted and therefore the impugned order dated 04.12.2013 granting maintenance in his favour requires reconsideration.

Under Section 127 of the Cr.P.C. it is always open for the applicant to prove his case for variance in the order passed by the learned Magistrate granting maintenance.

With this, the present application is disposed of with liberty to the applicant to approach the learned Magistrate to file an application under Section 127 of the Cr. P. C.

JUDGE