

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

Criminal Writ Petition No. 716 of 2016

Mr. Alex D. Luthru V/s Smt. Francina w/o Alex Luthru

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

Court's or Judge's orders

Mrs. Anita P. Shinde, Adv. for the Petitioner.
Mr. R.D. Anthony, Adv. for the Respondent.

CORAM : R.K. Deshpande, J

DATE : 13/10/2017.

Heard Mrs. Anita P. Shinde, the learned
counsel for the petitioner, and Mr. Anthony, the learned
counsel for the respondent.

The petitioner as well as the respondent, both
are personally present before this Court. It is not in
dispute that both the parties are residing together in one
house and they are husband and wife. There are certain
disputes between them. The complaint of the respondent
- wife is that the petitioner- husband is not maintaining
her and providing the amount for meeting daily needs
and medical expenses.

At the time when the Family Court has passed an order of maintenance at the rate of Rs. 6000/- per month, both the parties were living separately. Now they are residing together, and by way of the order dated 19/4/2017 passed by this Court, it is directed that the petitioner shall continue to pay regularly the amount of Rs. 3000/- per month to the respondent on or before 5th of every month and this is what, undertaking is giving by the petitioner before this Court.

Mrs. Shinde, the learned counsel for the petitioner-husband further submits that the petitioner has also cleared the amount of arrears of maintenance from 19/4/2017. The petitioner also undertakes to pay the amount of daily needs and medical expenses of Rs. 3,000/- per month to the respondent and shall deposit the same in the Family Court. The respondent shall be permitted to withdraw the amount from time to time.

In view of the aforesaid undertaking, the order passed by the Family Court stands modified

accordingly and this interim arrangement shall continue to operate till the final adjudication of the trial, on the application under Section 125 of the Criminal Procedure Code.

In view of the above, the petition stands disposed of.

JUDGE

nandurkar