

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 9074 OF 2018

SAPNA SANDEEP WAGH
VERSUS
SANDEEP NARAYAN SARJERAO WAGH

...
Advocate for the Petitioner : Ms.Jamdhade Maya R..

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CORAM: RAVINDRA V. GHUGE, J.

DATE :- 15th October, 2018

Per Court:

1 The Petitioner is aggrieved by the order dated 24.04.2017 by which, the Executing Court has stayed Regular Darkhast No.237/2013 till the criminal complaint in RCC No.2374/2015 filed under Section 494 of the Indian Penal Code is finally adjudicated upon.

2 I find from the record that the Respondent, husband of the Petitioner, during the proceedings in R.D. No.237/2013 put forth a proposal that he is willing to save the marriage and the couple can live together. The Petitioner/ wife rejected the said proposal on the ground that the Respondent/ husband has already indulged in a second marriage and after performing the second marriage, his proposal to take back the first wife, is an eyewash. RCC No.2374/2015 filed by the Petitioner/ wife seeking punishment to the Respondent/ husband under Section 494 of the

Indian Penal Code for performing the second marriage, is pending adjudication.

3 In my view, if the second marriage is proved in the said proceedings, it would be appropriate for the Executing Court to then proceed with the execution proceedings. The period of about 18 months has passed by since the impugned order is passed.

4 In view of the above, this Writ Petition is disposed of with a direction to the concerned Court to decide RCC No.2374/2015, if not already decided, as expeditiously as possible and in any case, on or before 28.02.2019.

kps

(RAVINDRA V. GHUGE, J.)